United Nations S/PV.5779

Security Council

Sixty-second year

Provisional

5779th meeting

Wednesday, 14 November 2007, 10 a.m.

New York

President:	Mr. Natalegawa	(Indonesia)
Members:	Belgium	Mr. Verbeke
	China	Mr. Liu Zhenmin
	Congo	Mr. Okio
	France	Mr. Ripert
	Ghana	Mr. Tachie-Menson
	Italy	Mr. Mantovani
	Panama	Mr. Arias
	Peru	Mr. Chávez
	Qatar	Mr. Al-Nasser
	Russian Federation	Mr. Churkin
	Slovakia	Mr. Burian
	South Africa	Mr. Kumalo
	United Kingdom of Great Britain and Northern Ireland	Ms. Pierce
	United States of America	Ms. Wolcott

Agenda

Briefings by Chairmen of subsidiary bodies of the Security Council

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

07-59786 (E)

The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

Briefings by Chairmen of subsidiary bodies of the Security Council

The President: I should like to inform the Council that I have received letters from the representatives of Australia, Canada, Cuba, Liechtenstein, Portugal and the Bolivarian Republic of Venezuela, in which they request to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, the representatives of the aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President: The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, we will hear briefings by His Excellency Mr. Johan Verbeke, Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities; His Excellency Mr. Ricardo Alberto Arias, Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism; and His Excellency Mr. Peter Burian, Chairman of the Security Council Committee established pursuant to resolution 1540 (2004).

At the outset, I would like to give the floor to His Excellency Mr. Johan Verbeke, who will make a joint statement on behalf of the Committees established pursuant to resolutions 1373 (2001), 1267 (1999) and 1540 (2004), respectively.

Mr. Verbeke (Belgium): On behalf of the Chairmen of the three subsidiary bodies of the Security Council established pursuant to resolutions 1267 (1999), 1373 (2001) and 1540 (2004), which deal with the issue of terrorism, I would like to make some introductory remarks on the work of and the cooperation among those Committees.

Terrorism remains one of the biggest threats to international peace and security, and the cooperation of all is more necessary than ever before. Even though our mandates differ in content and character, we strive to work closely together, both directly and through our respective expert groups.

In our complementary efforts to reach out to Member States, the three Committees and associated expert groups have worked together and have jointly participated in visits to States. To date, the experts of the 1267 Committee's Monitoring Team and the Counter-Terrorism Committee Executive Directorate have carried out eight visits to States, namely, to Tanzania, Nigeria, the Philippines and India in 2006, and to Turkey, Bangladesh, Indonesia and Bosnia and Herzegovina in 2007. The three expert groups also systematically exchange their trip reports with one another, as appropriate, so as to derive common benefit from the information gathered during those trips. This includes requests for technical assistance and other requests made by States.

In addition, on the basis of concerns expressed by Member States, a common strategy paper to assist non-reporting and late-reporting States was jointly drafted by the three expert groups. The strategy, approved by the three Committees, is currently being jointly implemented through the organization of several reporting workshops in cooperation with the United Nations Office on Drugs and Crime. A first workshop was held in Dakar, Senegal, at the end of September for West and Central African States. Another is scheduled for the end of this month in Gaborone, Botswana, for Southern African States. A third should take place in the first half of 2008 for Northern and Eastern African States. Progress has already been achieved, as new reports have already been submitted to the three Committees since the adoption of the common strategy.

Our cooperation with one another extends further. We continue to urge our three expert groups to share information and their analyses, as appropriate, of

efforts by Member States to implement their obligations under the relevant Security Council resolutions dealing with counter-terrorism. We also encourage our experts to work closely together as they develop their relationships with other organizations, including international and other intergovernmental organizations, such as the International Atomic Energy Agency, the International Air Transport Association, the International Civil Aviation Organization, the International Maritime Organization, INTERPOL, the Organization for the Prohibition of Chemical Weapons and the World Customs Organization, as well as regional and subregional organizations, such as the African Union, the Caribbean Community, the European Union, the Organization of American States, the Organization for Security and Cooperation in Europe and the Pacific Islands Forum. The three expert groups are also cooperating within the framework of the Counter-Terrorism Implementation Task Force, established to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system, in particular in the context of the implementation of the United Nations Global Counter-Terrorism Strategy.

The primary responsibility of implementing the obligations under the relevant Security Council resolutions is vested in Member States, and our interaction with them is therefore essential. The efforts of the three Committees can be only as effective as Member States will collectively enable them to be.

The Committees established pursuant to resolutions 1267 (1999), 1373 (2001) and 1540 (2004), as well as their respective expert groups, remain committed, within their respective mandates, to eliminate terrorism and are convinced that their work contributes to the overall United Nations and international efforts to assist States in fully implementing the respective resolutions.

The President: I thank Mr. Verbeke for his joint statement.

I shall now give the floor once again to His Excellency Mr. Johan Verbeke, Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities.

Mr. Verbeke (Belgium): As stressed in my last briefing to the Council (see S/PV.5679), the completeness and accuracy of the 1267 Committee's consolidated list are essential for the effectiveness of the sanctions measures. Over the past six months, the Al-Qaida and Taliban Committee has strived to further improve the quality of the list. I can assure members that that endeavour remains high on the Committee's agenda. It is worth recalling that the list belongs to all States Members of the United Nations and that the Committee therefore relies on their input and assistance to attain that objective.

Improving the quality of the list can be done in three complementary ways: first, by providing additional identifiers to the existing names to assist Member States in the effective implementation of the sanctions; secondly, by listing individuals and entities that are associated with Al-Qaida, Osama bin Laden and the Taliban; and thirdly, by removing the names of those who no longer meet the listing criteria and of those who are deceased, in accordance with the procedure described in a note verbale dated 25 April 2006. Continued improvement of the quality of the list is carried out on the basis of information provided to the Committee, including through the review pursuant to paragraph 6 (i) of the Committee's guidelines.

As requested by the Council in resolution 1735 (2006), the Committee has paid particular attention to the Taliban section of the list. I am pleased to report that, since my last briefing to the Council, additional identifiers have been introduced to 67 entries in the Taliban section of the list, which means that close to half of the 142 names of the Taliban individuals currently listed have been updated during the past six months. The original script of the names of all Taliban individuals has also been added. Furthermore, for the first time since 2001, the Committee added one individual to the Taliban section of the list. The Committee also removed the last remaining entity from that section.

In the Al-Qaida section of the list, the names of seven individuals have been added since my last briefing, and improvements have been made to the existing information in 70 out of 350 entries. The Committee has also decided to remove 2 individuals and 12 entities from the Al-Qaida section of the list.

I would like to take this opportunity to express my appreciation to the States that have submitted information and to encourage others to do likewise and to come up with new listing requests. The cover sheet, a standard form, provides a useful tool for the

submission of such requests. I would also like to thank the Al-Qaida and Taliban Monitoring Team for its tireless efforts aimed at improving the list and to encourage it to continue that work in close collaboration with States.

In addition to the PDF and HTML formats, the consolidated list is now available in the XML format, which will enhance and facilitate the incorporation of the list into national watch lists and databases. This will also make it easier for banks and other financial institutions, as well as some international organizations, to incorporate a searchable version into their databases. The list can now be downloaded in the three formats from the Committee's website.

As the responsibility to implement the sanctions measures rests on Member States, the Committee continues to explore ways and means to enhance a mutually beneficial dialogue with States. The Committee therefore attaches great importance to its website, ensuring that it contains substantive information for the use of Member States and is as user-friendly as possible. The Committee's enhanced website was presented to the broader membership on the occasion of an open briefing I gave on 20 July 2007 to all Member States. The question-and-answer session gave all Member States an opportunity to raise questions and share comments. I would like to continue with that form of engagement with Member States, and I welcome any suggestion with regard to the format and content of such briefings. I intend to hold another such open briefing in December.

Another way to interact with Member States is through visits. In accordance with paragraph 30 of resolution 1735 (2006), I have undertaken two trips as Chairman to selected countries. Last July I visited Ethiopia, Djibouti and Kenya. Two weeks ago I was in Central Asia, where I visited Kazakhstan, Tajikistan and Uzbekistan. I want to thank the authorities of the visited countries for their cooperation.

That kind of interaction is extremely useful for the Committee. It indeed provides a unique opportunity to update Member States directly on the latest developments, but, more importantly, to listen to the suggestions — and, in some cases, also the concerns — of Member States, which are in the front line in implementing the sanctions measures imposed by the Security Council. During both trips I could see that, although the commitment of States is strong and the terrorist threat is deemed to be quite real, States still need a better understanding of the possibilities that the Al-Qaida and Taliban sanctions regime can offer to assist them in their fight against terrorism. My impression after those visits is that the sanctions regime has contributed less to that than it might have.

Pursuant to paragraph 29 of resolution 1735 (2006), I would like to renew the standing invitation to Member States to come to the Committee for more in-depth discussions on sanctions-related issues. Dialogues of that nature are essential for both the Committee and Member States. In that regard, suggestions and experiences accumulated by States can be shared with the Committee, and the Committee can be more proactive and efficient in addressing their implementation challenges.

For their part, the experts of the Monitoring Team continue to visit States. Since the last briefing, the Team has visited four Member States. The Team has also begun implementing areas of cooperation with international and regional organizations — such as the Organization for Security and Cooperation in Europe, the International Civil Aviation Organization, the International Air Transport Association and the World Customs Organization — in accordance with paragraph 23 of resolution 1735 (2006). In addition, the Team has expanded cooperation with INTERPOL to improve implementation of sanctions measures, which has resulted in the increase of the issuance of Security Council-INTERPOL special notices for listed individuals, which currently amount to 298. As a next step, the Team and INTERPOL are arranging for the issuance of special notices for listed entities. Finally, the Team has also participated in several conferences and meetings on counter-terrorism-related issues.

The Committee has started its consideration of the seventh report of the Monitoring Team, which was submitted to the Committee on 30 September 2007 in accordance with resolution 1735 (2006). As was the case with its previous reports, it will soon be transmitted to the Council and become an official document of the United Nations. The report contains a great number of recommendations on how to further improve sanctions implementation. It is the intention of the Committee to report to the Council on its position regarding those recommendations.

Pursuant to paragraph 21 of resolution 1735 (2006), the Committee has started its consideration of

the identification of possible cases of non-compliance, based on a background paper prepared by the Monitoring Team. The Committee has developed a methodology to identify possible cases of non-compliance, to gather additional information if needed and to take action on specific cases. The Committee also agreed to develop specific and general recommendations derived from that empirical analysis on what could be done to prevent the occurrence of such cases, including by identifying the difficulties faced by States in implementing sanctions. The overall objective of that exercise is to improve the effectiveness of the sanctions regime. The Committee intends to forward to the Security Council its findings to that effect, once the discussion in the Committee has been concluded.

Since the establishment of the focal point for de-listing last March, pursuant to resolution 1730 (2006), the Committee has received 16 requests through that process — 4 individuals and 12 entities. I am pleased to announce that the Committee today approved the de-listing of one individual and 12 entities associated with him. Although the Committee decided to maintain the names of the three other individuals on the list, the focal point allows petitioners to have a proper consideration of their de-listing requests. It is worth mentioning that one other request has been submitted to the focal point for de-listing but has not yet reached the Committee.

This month, the Committee intends to hold a specific discussion on the issue of de-listing procedures in accordance with paragraphs 13 and 14 of resolution 1735 (2006). The Committee also intends to evaluate the first edition of the review pursuant to paragraph 6 (i) of the Committee's guidelines that was concluded last July without any change to the list, as well as to prepare the 2008 edition.

In the application of sanctions measures, the Committee is specifically mindful that the Council provided for exemptions, including for humanitarian purposes. Since 1 January 2007, the Committee has received five notifications for humanitarian exemptions under paragraph 1 (a), and 16 requests for extraordinary expenses under paragraph 1 (b) of resolution 1452 (2002). Out of these, no negative decision has been taken by the Committee in respect of five notifications under paragraph 1 (a), and 14 requests under paragraph 1 (b) have been approved. During the same period the Committee received no applications for exemptions to the travel ban.

The Committee has also started an in-depth discussion on how to limit and reduce the number of pending issues.

The criminal misuse of the Internet and the involvement of banks and financial institutions in the effective implementation of sanctions have been discussed based on reports prepared by the Monitoring Team. The Committee has requested the Team to make some concrete recommendations that, if approved, could address both issues in a practical way.

The Al-Qaida and Taliban sanctions regime continues to be a powerful instrument in the fight against terrorism. However, whereas the threat from Al-Qaida and the Taliban remains real, the mechanism to counter that threat has not reached its full potential. The Committee is trying its best to make the consolidated list more dynamic, and therefore more credible, but cannot do it alone. Additional input from Member States is indeed essential to have a list that will better reflect the reality on the ground. Greater involvement by Member States would also contribute to more effective implementation of the sanctions measures, which would at the same time strengthen national and regional efforts in the fight against terrorism. In that context, I appeal to all States to increase their support and assistance to the Committee and the Monitoring Team to achieve our common objective, namely, to prevent and counter terrorist acts.

The President: I thank Mr. Verbeke for his briefing. I shall now give the floor to His Excellency Mr. Ricardo Alberto Arias, Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism.

Mr. Arias (Panama): In my capacity as Chairman of the Committee established pursuant to resolution 1373 (2001), known as the Counter-Terrorism Committee, I am most pleased to brief the Security Council and the wider membership on the work of the Committee. Before entering into the core of this presentation, I would like to extend the Committee's warm congratulations to the new Executive Director of the Counter-Terrorism Committee Executive Directorate (CTED), Ambassador Mike Smith of Australia. I am confident that CTED will be well guided by the knowledge and experience of its new Executive Director.

Since the last briefing, in May 2007 (see S/PV.5679), the Committee recently adopted its work programme for the period 1 July to 31 December. Given differences in approach among Committee members, the process of its approval was somewhat delayed. Nevertheless, as many of its activities specified in the former work programme remained the same, the Committee has continued its efforts to fulfil its assigned tasks and, in line with the former work programme, has divided its work into three categories which are identical to those set out for the first six months of this year, namely, monitoring and promoting the implementation of resolution 1373 (2001), facilitating technical assistance, and implementation of resolution 1624 (2005).

With reference to the monitoring and promoting of the implementation of resolution 1373 (2001), the Committee continues to analyse, through its subcommittees, the Preliminary Implementation Assessments (PIAs) for every Member State. Thus far, the Committee has adopted 50 PIAs, which were previously approved by Subcommittee B, presided over by South Africa. We commend the job done by the representative of South Africa in this endeavour. The rest of the PIAs are in the final stages of consideration by the subcommittees and should be formally approved by the Committee before the end of the year. Consequently, within the next few months, each Member State will receive a copy of its Preliminary Assessment.

Further, the Committee intends to convene an informal meeting of all Member States, with the presence of CTED's new Executive Director, in order to explain the format of the PIAs so as to provide any necessary clarification of what the PIA is and how it works. Sharing this analysis with States is just a first step, and the Committee looks forward to engaging with all States to make sure that the information that we have collected is as up to date as possible. Our main focus going forward will be working practically with the States on both the monitoring and the assistance parts of our mandate.

Also in connection with the monitoring and promoting of the implementation of resolution 1373 (2001), the Committee examined the document entitled "Survey of the implementation of Security Council resolution 1373 (2001)", prepared by the Committee Directorate's Executive Director. As members may recall; in its work programme, the Committee agreed to brief the Security Council on the conclusions of its deliberations on the content of that document.

An important part of the discussion was focused on the form in which the Committee would report its findings on the document to the Security Council and whether it would become an official document of the Security Council. The majority of the delegations supported the circulation of the report to the Security Council. A decision within the Committee on this matter is still pending. Many delegations have stated that this document was a useful tool for the Committee to define its priorities in its future programme of work.

When commenting on the substance of the document, most delegations welcomed the analysis completed by CTED, while others raised concerns about it and about the accuracy of some of its information. Some delegations also pointed out that in grouping countries into regions and subregions, the analysis did not adequately reflect the different levels of implementation of countries within a particular region. Therefore, more attention should be placed on avoiding overgeneralizations in this regard.

In its new work programme, the Committee requested that CTED prepare an updated and further detailed analysis which, in turn, would assist the Committee in meeting its obligations to report to the Council on the implementation of resolution 1373 (2001), as well as to prepare a more focused work programme for 2008.

Further, at the end of 2006 the Committee approved a list of 18 countries to be visited. These visits, which have to be agreed to by the countries involved, constitute a fundamental component of the Committee's activities to effectively monitor the implementation of resolution 1373 (2001) by observing, at first hand, countries' efforts to that end. They also allow CTED to gain experience on the ground with regard to the overall implementation of 1373 (2001). Since our last briefing, the Committee has concluded successful on-site visits to Indonesia, Viet Nam, Armenia, Georgia and Bangladesh, and as we speak the Committee is in Bosnia and Herzegovina. As we are approaching the end of 2007, the remainder of the visits will be carried out next year.

In relation to the facilitation of technical assistance, the Committee held its fifth special meeting with international, regional and subregional organizations in Nairobi from 29 to 31 October. This

gathering brought together the principal international, regional and subregional organizations to exchange ideas on the topic of the prevention of terrorist movement and border security. Following three days of discussions, the Committee and the organizations present endorsed a joint statement that defined a course to enhance cooperation among themselves and with the Committee, as well as establishing a concrete method to follow up on the activities set out in its plan of action.

In addition, the Executive Directorate convened the first of its planned informal forums, in this case on the West African Member States, which took place in July 2007. These events will provide an opportunity for countries that require technical assistance to meet present and potential donors to fulfil their needs.

The Committee also posted on its website its technical assistance matrix and a directory of assistance programmes, enabling users to view and identify the programmes that best suit their needs.

With respect to the implementation of resolution 1624 (2005), the Committee adopted its second report prepared by CTED regarding progress made by Member States in its implementation. Likewise, in its work programme, the Committee has agreed to initiate discussions to explore the technical assistance needs of States to implement this resolution, as well as to facilitate the provisions of such assistance, while continuing to encourage those States that have not yet reported to do so.

Finally, as Council members are aware, CTED's mandate expires at the end of this year. While the consideration of this issue falls strictly under the mandate of the Security Council, and not of the Committee, I encourage Member States to present their ideas in this regard, in order to assist the Council in its due consideration of this issue.

The President: I thank Mr. Arias for his briefing.

I shall now give the floor to His Excellency Mr. Peter Burian, Chairman of the Security Council Committee established pursuant to resolution 1540 (2004).

Mr. Burian (Slovakia): This briefing covers the six-month period since the last joint briefing to the Security Council held on 22 May, 2007. It also outlines some of the forthcoming activities for promoting full implementation of the provisions of resolution 1540 (2004).

On 14 September 2007, the 1540 Committee adopted its sixth programme of work, for the period from 1 October 2007 to 28 April 2008. It is essentially a continuation of the programme from last year, covering all aspects of resolutions 1540 (2004) and 1673 (2006). In addition, it includes the preparation of the Committee's report for the second biennium on compliance with resolution 1540 (2004) through the achievement of the implementation of its requirements, to be submitted by 18 April 2008 for consideration by the Security Council.

The submission of national reports remains among the top priorities for the Committee, as it is essential to its mandate of reporting to the Security Council on the implementation of resolution 1540 (2004). National reports also assist States in taking stock of the measures already in place and in planning additional measures to achieve full implementation of the resolution.

Since the last briefing, one additional State, Mauritius, has submitted its first report and a few other States have sought advice in preparing their first reports. The total number of reporting States has reached 137. Fifty-four States, mostly in Africa, the Caribbean and the Pacific Islands region, have yet to submit their first reports. Of the 85 States that had already submitted relevant additional information, four — Argentina, Cyprus, Mexico and the United States — have provided supplementary information on new legislation, administrative arrangements or action plans they have put in place.

The Committee held a thematic discussion in July to assess the problem and to adopt an approach to speed up the process. As part of this approach, the Committee has sent letters to all Members States of the United Nations to remind them of the reporting request and to seek additional information. Included with the letters were copies of the States' matrices, which were prepared under the direction of the 1540 Committee. The information in the matrices originates primarily from national reports and is complemented by official Government information, including data made available to intergovernmental organizations.

In the case of States that have not yet submitted a first report, a draft matrix was sent to facilitate the preparation of a report. The Committee has requested

all Member States to reply by 15 December 2007, so that in preparing its April 2008 report to the Security Council, the Committee may present a more complete picture on the status of implementation of the resolution.

The Committee relies heavily on outreach activities to promote full implementation of resolution 1540. Through tailored dialogue, seminars and workshops, it seeks to generate a momentum and to promote implementation of the resolution, to encourage the reporting process and the sharing of relevant national experiences, as well as to facilitate assistance geared towards implementation. A thematic discussion held in October recognized the need to pursue a phased approach to the Committee's outreach activities and determined that future activities would focus less on the issue of reporting and more on assisting States to fully implement the resolution.

During the past six months, the Committee has engaged in three types of outreach activities.

First, the United Nations Office for Disarmament Affairs organized three workshops on the implementation of resolution 1540 (2004) during this period. One workshop, which focused primarily on reporting by Caribbean States, was held in Jamaica from 29 to 30 May 2007. The second, on the implementation of resolution 1540 (2004) by Arab States, was held in Jordan from 4 to 5 September, and the last, to focus on reporting by African States, is scheduled to be held in Botswana from 27 to 28 November.

Secondly, common strategy workshops on reporting for West and Central African States have been held. One subregional workshop, sponsored by the United Nations Office on Drugs and Crime (UNODC), was held in Senegal from 25 to 27 September. It was the first workshop jointly organized by the Counter-Terrorism Committee Executive Directorate, the 1267 Monitoring Team and 1540 Committee experts, with the UNODC as a co-organizer. The workshop brought several officials from each country to Dakar to discuss with the three expert groups the issue of reporting. A similar workshop for Southern African States is scheduled for Botswana from 29 to 30 November, following the Office for Disarmament Affairs workshop.

It should also be mentioned that the Committee's experts have been participating in other UNODC-sponsored events, including a workshop jointly organized with the Pacific Islands Forum in Fiji, in June.

Thirdly, some outreach events have been initiated at the invitation of other bodies. The Chairman and 1540 Committee experts have actively participated in a number of seminars and workshops of direct relevance to the Committee. It has sought to generate wider support for the objectives of resolution 1540 (2004) within different areas of implementation. The Committee expresses its appreciation to the host countries and the sponsors of these outreach activities.

In view of the importance of organizing technical and other assistance for the full implementation of resolution 1540 (2004), an effort is made in all the Committee's outreach activities to explain the need for States to be specific in their requests so as to facilitate matching needs with our offers of assistance.

Following its thematic discussion in May on assistance, the Committee adopted a set of decisions on assistance-related issues and is currently developing a template for helping States to submit detailed requests for assistance. In July, a meeting of selected assistance providers, which was organized with the assistance of the United Nations Office for Disarmament Affairs, took place to discuss ways in which the Committee could increase its role in assisting States with the full implementation of the resolution. The meeting was attended by the representatives of a number of States and international and other intergovernmental organizations active in this area. It became clear from this meeting that specific information on both requests and offers for assistance would enable the Committee to better fulfil its clearing-house function.

Under the common strategy arrangement, the Committee and its experts are broadening their cooperation with the Counter-Terrorism Committee, the 1267 Committee and their respective experts, with valuable support from the joint events organized by UNODC, including the funding for a consultant to advise Caribbean Governments on the preparation of reports to the three Committees.

Efforts to develop cooperation with the relevant international organizations are ongoing. Visits by the Chairman and the Committee experts to Brussels, The Hague and Vienna, pursuant to the Council's debate on the subject in February, have resulted in the identification of specific areas for day-to-day, practical

cooperation with the European Union, the World Customs Organization, the Organization for the Prohibition of Chemical Weapons and the International Atomic Energy Agency.

Mr. Mantovani (Italy): Briefings by the Chairs of the three Security Council subsidiary bodies that deal with counter-terrorism have become more and more important now that the United Nations Global Counter-Terrorism Strategy, in setting a general framework for Member States to cooperate, has underscored the need for a general, consistent approach by various United Nations bodies and entities engaged in fighting terrorism in the interest of an efficient and effective multilateral fight against international terrorism. In this context, the activities of the Counter-Terrorism, 1267 and 1540 Committees should be increasingly interactive, transparent and open to dialogue with all Member States.

We wish to congratulate the three Chairs on the great efforts that they have devoted personally to the success of the Committees' activities. Al-Qaida and the Taliban are still, unfortunately, one of the most serious threats to international peace and security. In our view, the sanctions regime represents an essential tool for the prevention of terrorist acts, while upholding the rule of law and respect for human rights.

In resolutions 1730 (2006) and 1735 (2006) the Security Council clearly indicated that the sanctions regime can be based on clearer and fairer procedures for listing, de-listing and humanitarian exemptions. Now, the Committee has the responsibility to implement the new procedures promptly and properly, so as to increase Member States' commitment to the sanctions regime and build general confidence in its fair implementation.

Over the past year, Italy has contributed actively along the lines set by the resolutions. Thanks to information provided by the Italian Government through the Monitoring Team, the Committee approved the update of information for 35 names on the Al-Qaida section of the list. Italy has participated directly in the process of three of the de-listing requests submitted to the Committee through the focal point. Moreover, by its legislative decree of 22 June, Italy has also amended its laws on the freezing of financial and economic assets to make the laws more effective and consistent with the needs of the international sanctions regime.

The sanctions regime will not significantly reduce the threat posed by Al-Qaida and the Taliban unless all Member States share the same belief in the effectiveness of sanctions. The Committee and its individual members, together with the Monitoring Team, have the primary responsibility to do whatever they can to raise States' confidence in the sanctions regime and in the Committee's decisions. This year, some decisions to list, de-list or update the list were based on information provided by non-members of the Committee. Rather than an exception, that should become the rule — an ordinary rule.

If interaction with the membership at large and transparency are important for the 1267 Committee, they are even more important, in our view, for the Counter-Terrorism Committee. We hail the designation of the new Executive Director, Ambassador Mike Smith, who will bear the huge responsibility deriving from the many tasks of the Counter-Terrorism Committee Executive Directorate (CTED) mandate. But independent of its mandate, CTED, whose role has also been recognized by the United Nations Global Counter-Terrorism Strategy (General Assembly resolution 60/288), must become a trustworthy, significant partner in the international arena, to which States have direct access to discuss implementation of resolutions 1373 (2001) and 1624 (2005). In our view, there is not sufficient awareness that the natural customers of CTED are not only the 15 Security Council members, but — especially — all of those Member States which are non-members of the Council and which need to discuss problems arising from the implementation of the resolutions in an open, transparent and interactive way. We believe that greater interaction between CTED and all Member States should be pursued more actively. We need a new approach that is not based exclusively on written reports, letters or formal replies, and we hope that the new Preliminary Implementation Assessment procedure will give the entire membership the opportunity to start an informal dialogue.

Finally, the CTC and CTED have everything to gain in actively cooperating on fulfilling the Global Strategy in the areas more closely related to resolutions 1373 (2001) and 1624 (2005).

We welcome the adoption of the 1540 Committee's sixth programme of work, and the sending of letters to the membership to either remind Members of reporting requirements or to seek

additional information, on the basis of matrixes prepared by Committee experts, to better assess the level of implementation of resolution 1540 (2004). We support the emphasis by the Committee on outreach activities to raise the membership's awareness of the scope and obligations of the resolution, as well as on international assistance, including through the adoption of a set of ad hoc decisions aimed at fostering compliance with the resolution.

The thematic discussions held by the Committee on those two issues, together with the meeting organized last July with selected assistance providers, proved extremely useful in identifying outstanding implementation difficulties and strategies to overcome them. We encourage the Committee to enhance its cooperation with relevant international organizations, in particular the International Atomic Energy Agency, the Organization for the Prohibition of Chemical Weapons, the World Customs Organization and the Financial Action Task Force, in order to effectively counter proliferation challenges, in particular in the areas of export and border controls and of illicit financing.

Some years from their inception, we cannot evaluate the Committees without asking ourselves whether their results can be improved. In the next few months, the Security Council will have to review the mandates of the expert groups that help the activities of the Committees — CTED, the 1540 Committee expert group and the Monitoring Team. We will then have the opportunity to consider adjustments which may prove useful or necessary based upon a thorough evaluation of the results achieved so far.

Mr. Tachie-Menson (Ghana): Allow me first of all to express my appreciation to the Chairmen of the 1373, 1267 and 1540 Committees for their informative briefings.

The briefing by the Chairman of the 1267 Committee pursuant to paragraph 31 of resolution 1735 (2006) was very encouraging. Resolution 1735 (2006), which reaffirmed the need to implement sanctions measures imposed by resolution 1267 (1999) and subsequent resolutions relating to Al-Qaida and the Taliban, reminds Member States of their obligations under those resolutions.

The Chairman's briefing indicated the appreciable progress that has been made since resolution 1735 (2006) was adopted. It is against this background that we commend the Chairman and the 1267 Committee for their efforts in improving the accuracy and quality of the consolidated list. The accuracy of the list is critical not only for the effectiveness of the sanctions regime, but also for its credibility. In that regard, it is worth noting, as stated by the Chairman of the Committee, that since ownership of the list is vested in all Member States, the primary responsibility for achieving the objective of accuracy and improving quality rests with States. It is therefore imperative that States provide the necessary inputs and assistance to facilitate the Committee's efforts in that area.

We also wish to commend the Chairman for the idea of open briefings for the general membership. We believe that that outreach approach provides the best platform to sensitize the membership to their obligations; it is also an opportunity for an interactive dialogue on how best to tackle the issues of implementation. The importance of the Chairman's and the Monitoring Team's visits to States cannot be denied. The wealth of information and knowledge gathered on those field visits have enhanced and shaped policymaking and rule making to suit the practical realities on the ground.

On the newly established focal point for de-listing, we are happy to note that States and individuals are now availing themselves of the facilities offered. On that point, we wish to reiterate our position that the idea behind the focal point is access, simplicity and transparency. It is therefore essential that we avoid overly bureaucratic and complicated procedures that might frustrate petitioners and undermine the very objective of the mechanism.

With regard to the Counter-Terrorism Committee, we note with satisfaction the ground covered in the Committee's work programme for the period from 1 July to 31 December, in three areas, namely; monitoring the implementation of resolution 1373 (2001), facilitating technical assistance and implementation of resolution 1624 (2005).

We are satisfied with the progress made in the Committee's analysis and adoption of Preliminary Implementation Assessments. We also support the decision of the Chairman to convene an informal meeting of all States to explain the format of the Preliminary Implementation Assessments, which is an

invaluable tool in the evaluation of States' implementation of resolution 1373 (2001).

On the facilitation of technical assistance, we commend the Counter-Terrorism Executive Directorate and the Committee for organizing the fifth special meeting with international, regional and subregional organizations in Nairobi from 29 to 31 October, on the topic "Prevention of terrorist movement and border security". We believe that the results of those deliberations will enhance cooperation between States and those organizations. We also agree that such meetings provide a valuable opportunity for the exchange of ideas and the facilitation of technical assistance.

On the question of the implementation of resolution 1624 (2005), which deals with incitement to terrorist acts, we consider the decision of the Committee to explore the technical assistance needs of States in the area as timely in view of the fact that quite a significant number of States are yet to fulfil their reporting obligations.

Finally, we wish to commend the experts of the Counter-Terrorism Executive Directorate for their invaluable support of the Committee, and welcome the new Executive Director. We call on the Council to extend the mandate of CTED when it expires in December this year.

Concerning the Committee established pursuant to resolution 1540 (2004), my delegation commends the Chairman, the Committee and the group of experts for their tireless efforts, as evidenced in ensuring the realization of the underlying objectives that informed the adoption of resolution 1540 (2004). Despite that, we remain concerned that the objective of universal reporting is yet to be attained.

While cognizant of the challenges confronting some States in the fulfilment of their commitment, it is equally an incontrovertible truth that anything short of universal adherence to the provisions of resolution 1540 (2004) would undermine the collective efforts against the twin scourge of the proliferation of weapons of mass destruction and terrorism. We therefore urge the non-reporting States to take urgent measures towards fulfilling their primary obligation. We also encourage the Committee to relentlessly pursue its mandate by continuing with its outreach activities, as well as to deepen and widen its cooperation with regional and subregional organizations.

If we acknowledge that all States, irrespective of their economic status and military capabilities, are not insulated from the threat of nuclear terrorism, then the collective strength of the community of nations should be harnessed to prevent non-State actors from acquiring weapons of mass destruction and their means of delivery, which resolution 1540 (2004) seeks to achieve.

Mr. Churkin (Russian Federation) (*spoke in Russian*): We thank you, Sir, for organizing today's meeting and express our appreciation to the Chairs of the Counter-Terrorism Committee (CTC) and the Committees established pursuant to resolutions 1267 (1999) and 1540 (2004), Ambassadors Verbeke, Arias and Burian, for their reports on the work of the Security Council's counter-terrorist committees that they head.

Today's briefings addressed major issues in the work of the three committees in one of the most important areas of the Council's work — strengthening counter-terrorism security. We fully support their general basic focus on assessing achievements in the implementation of the relevant Council resolutions and on addressing issues that might stand in the way thereof, including through the joint efforts of the three committees.

We are pleased to note the CTC's adoption of the first Preliminary Implementation Assessments under resolution 1373 (2001) for 50 States, which are now being sent to capitals. Along with country visits, the Assessments consolidate a genuine transition effected by the CTC to new methods of direct and ongoing dialogue with States on the question of implementing provisions of the resolution so as to consider it in close connection with providing the necessary technical assistance.

We welcome the fact that, following lengthy and complex discussions in the Committee on that issue, a constructive approach ultimately prevailed. At the same time, the CTC and the Counter-Terrorism Executive Directorate (CTED) will, of course, need to make additional efforts to clarify for Member States the format and procedures of the Preliminary Implementation Assessments. In that regard, we support the CTC's plan to convene a special meeting with Member States.

Work on the implementation of resolution 1373 (2001) must continue without interruption and according to plan. The Russian Federation wishes once again to confirm its position in favour of the prompt completion of work on a comprehensive report on the implementation of the resolution and its submission to the Council for detailed discussion in late 2007 or early 2008. We believe that such a discussion would enable us not only to clarify the real situation with respect to the implementation of resolution 1373 (2001), but also to identify key directions of the Committee's future work on the basis of fundamental global security approaches to fighting terrorism. We expect the Committee finally to be able to achieve agreement on substantive aspects of the report in the near future, and submit it to the Council.

An important milestone in the CTC's work was the fifth special meeting with international, regional and subregional organizations, held in Nairobi in late October and devoted to the issues of strengthening mechanisms for border security and curbing terrorist movement. We are convinced that enhancing the Committee's interaction with international and regional partners is an important condition for the successful resolution of issues concerning the implementation of resolution 1373 (2001). The outcome document and the action plan agreed to in Nairobi will serve as guidelines for pursuing such cooperation and focusing it on practical results. We hope that, as a result, all the CTC's new partners among the international, regional and subregional organizations will join that process.

In October, the CTC approved the second report on the implementation of resolution 1624 (2005), drafted on the basis of an analysis of 19 reports received between September 2006 and July 2007. In our view, such input is meagre and the pace of States' work can hardly be called satisfactory. We therefore believe that, in the light of the resolution's provisions, dialogue with States needs to be enhanced. We foresee additional occasions for that in the consideration of States' needs for the technical assistance necessary to implement the resolution and opportunities to provide such assistance.

The CTC has reached an important threshold with the forthcoming renewal of CTED's mandate. We feel that its political and organizational frameworks will fully meet the challenges of implementing resolution 1373 (2001) and strengthening States' capacities to resist the contemporary threat of terrorism.

We continue to consider the 1267 Committee and the Analytical Support and Sanctions Monitoring Team to be among the Council's effective and viable mechanisms in its counter-terrorism work. We regret to note the ongoing spread of extremist ideas and the influence of the Taliban, both inside of Afghanistan and out. In that regard, we stress the need for the 1267 Committee and the Monitoring Team to step up their efforts to update the sanctions list to reflect the true nature of today's terrorist threat. The importance of that work was reflected in Security Council resolution 1735 (2006).

We call on Member States to submit requests to the Committee for the listing of individuals and entities connected to the Taliban and Al-Qaida, as well as existing additional information on such individuals. It is precisely Member States' commitment to full and conscientious compliance with their obligations that will determine the success of our common effort to counteract the real and changing threat to international peace and security posed by the Taliban and Al-Qaida.

We attach great importance to strengthening the cooperation of the Committee and the Monitoring Team with Interpol and the relevant regional and subregional organizations. It is essential to continue the practice of the Committee's Chair and members of the Monitoring Team of making country visits, which will allow them to verify on the ground States' commitment to the cause of counter-terrorism and to learn about best practices and methods in counter-terrorism. We would call for closer coordination in this direction, especially with CTC and its Executive Directorate.

The long-term challenge, which will not end upon the expiration of the current mandate of the 1540 Committee, remains the implementation of resolution 1540 (2004). It cannot be done all at once, with one-time actions, and must be done within the process of ongoing improvements to non-proliferation efforts by members of the international community. We would hope that, in spite of the scope and complexity of the work to be done under resolution 1540 (2004), through joint efforts under the auspices of the United Nations, we would be able to close the remaining gaps in national proliferation legislation and to strengthen the foundations of the coordinated resistance to black markets for weapons of mass destruction.

We are pleased to note that the 1540 Committee is entering a new stage in its work, by providing assistance to States that need it in implementing the provisions of resolution 1540 (2004). At this stage, it will be important to focus efforts on the weaknesses of national monitoring systems, identified through studying information on the measures taken by States, as submitted in their national reports to the 1540 Committee.

Unfortunately, we must once again note the insufficient pace of States' preparation of those reports. In the last reporting period, only one State reported to the Committee for the first time, and another 54, in spite of the holding of many information and outreach activities, still have not done so. Active work with States that have still not submitted their first national reports needs to be continued. In that regard, relevant assistance to those countries that need it should be provided on the basis of constructive dialogue, without pressure or interference in the affairs of States and without prejudice to legal, international, economic, scientific and technological cooperation.

We would like to note the initiative, which we actively supported, on the Chair sending letters to all States with a request to update information on the appended matrices on the basis of information contained in national reports and other open and official sources. We would hope that the unfortunate and significant delay in sending all those letters to addressees will not prevent Member States from submitting the additional information requested within deadlines that would allow for a qualitative preparation of the April 2008 report on the results of the Committee's work for the period from 2006 to 2008.

Mr. Liu Zhenmin (China) (*spoke in Chinese*): The Chinese delegation would like to thank Mr. Verbeke, Mr. Arias and Burian for their respective briefings on the work of the Security Council Committee established pursuant to resolution 1267 (1999), the Counter-Terrorism Committee (CTC) and the Security Council Committee established pursuant to resolution 1540 (2004). China wishes to express its appreciation to the three ambassadors for their diligent and effective work.

We have taken note with satisfaction of the steady progress made by the 1267 Committee in areas of its work, including in improving the integrity and accuracy of the sanctions listing, the transparency of its work and its website and strengthening its exchanges and dialogue with Member States and the relevant international organizations. At the same time, the Committee has also made headway in improving the quality of the sanctions list, thus strengthening the effectiveness and fairness of the sanctions mechanism.

The 1267 Committee is a very effective sanctions mechanism in the area of counter-terrorism. We encourage Member States to provide further information to the Committee in the area of listing requests and in other related areas. We support maintaining the authority and the position of the Committee in the area of counter-terrorism. The Committee still faces some important challenges on its agenda, including considering the seventh report of the Monitoring Group and discussing issues such as non-compliance and de-listing. We hope that the Committee will come to constructive conclusions through those discussions, so as to further improve its work.

Since its last briefing, the CTC is moving actively ahead with its Preliminary Implementation Assessments and has thus far concluded the Assessment reports on a number of countries. China hopes that the Committee can, by way of its Preliminary Implementation Assessments, carry out as far as possible effective dialogue with Member States so as to promote a comprehensive and full implementation of resolutions 1373 (2001) and 1624 (2005).

China is pleased to note that the CTC, thanks to the assistance of the Counter-Terrorism Committee Executive Directorate (CTED), has successfully conducted the fifth special meeting with international regional and subregional organizations and has made progress on country visits and providing technical assistance. China appreciates the efforts made by CTED in holding a forum on technical assistance for West Africa and opening a new website for technical assistance. China welcomes CTED efforts to provide and conduct further detailed analysis on the implementation of resolution 1373 (2001). We believe that all those activities will help CTC to formulate an effective and practical programme of work. China supports the extension of the mandate of CTED and will take an active part in the discussion on the relevant resolution. China congratulates Mr. Mike Smith on his appointment as the new Executive Director of CTED. We believe that, under his

leadership, CTED will continue to perform effective work.

In the past six months, the 1540 Committee, with the assistance of its experts and in accordance with its programme of work, has made good progress in further understanding the implementation of resolution 1540 (2004), in outreach, international assistance and cooperation. It has played an active role in promoting the full implementation of the resolution. For that, China wishes to express its appreciation. China has always supported strengthening the monitoring of the implementation of resolution 1540 (2004). China attaches importance to the role of the Committee and has always participated in a constructive manner in its work. We are ready to continue to support and coordinate with the work of the Committee so as to forge a consensus on non-proliferation and to make a contribution to promoting international non-proliferation.

In the past few months, notwithstanding the unremitting efforts of the international community in the area of counter-terrorism, terrorist forces have still carried out violent activities throughout the world, posing a serious threat to international peace and security. Therefore, the United Nations and this Council are still facing a long and arduous task in the area of counter-terrorism.

China appreciates the active cooperation carried out by the expert bodies of the three Committees in handling the issue of the late submission of reports by Member States. China supports the efforts of the three Committees to continue to consolidate their efforts, improve their effectiveness and further strengthen the counter-terrorism mechanisms of the Security Council. China hopes that the three Committees will pay more attention to the needs of developing countries in the area of counter-terrorism and listen to their opinions. At the same time, the three Committees should, within their respective mandates, actively implement the United Nations Global Counter-Terrorism Strategy so that the Security Council and General Assembly can complement and coordinate their efforts in fighting terrorism and make a greater contribution to the efforts of the international community to fight terrorism.

Ms. Pierce (United Kingdom): I would like to thank Mr. Arias, Mr. Verbeke and Mr. Burian for their briefings to the Council this morning. We would also like to thank them and their staff for their time and commitment to these important committees and for the energy and seriousness that they bring to the task.

I would also like to associate myself with the comments that will be made later by the representative of Portugal on behalf of the European Union.

I will start with a few words about the Al-Qaida and Taliban Sanctions Committee. Let me say how much we welcome the Chairman's outreach and dialogue with Member States, especially through his open briefing in July; we look forward to the next briefing, due to take place in December. I think that these sessions demonstrate his and the Committee's willingness to conduct their business in as transparent a manner as possible. We believe that they can only encourage a beneficial dialogue between the Committee and States, and we echo his call to Member States to participate. I think that it is important that the Committee have the widest possible information so that it can take the best available decisions.

The Monitoring Team has continued to provide invaluable support and advice to the Committee. In particular, we would like to commend the Team's work with a wide range of international organizations such as INTERPOL, the World Customs Organization, the International Civil Aviation Organization and the International Air Transport Association, and in particular to commend its efforts with those non-governmental bodies, such as banks and financial institutions, which have important roles to play in the implementation of the measures. In that respect, we were very interested in what Ambassador Verbeke had to say regarding ensuring greater accessibility to information, which will help banks take the necessary measures. We look forward to the Committee's further work on the Team's recently submitted seventh report.

Looking forward, we fully support the Chairman's focus on improving the consolidated list. The consolidated list lies at the heart of the sanctions regime. We are pleased to note the progress on the Taliban section of the list, and we hope to see even more movement on that section of the list in the near future. We look forward to the Committee continuing its discussion on improving its guidelines on de-listing.

The United Kingdom continues to see the Counter-Terrorism Committee (CTC) as central to the Security Council's responsibility to tackle threats to international peace and security. The CTC's reach, its mandate and the expert support available to it are

unparalleled anywhere else in the United Nations system. We are very grateful to Ambassador Arias for the extensive information that he gave us today on how this is working. I would like to echo his call in welcoming Mike Smith, the new Executive Director of the Counter-Terrorism Committee Executive Directorate (CTED), and to say how much we will look forward to giving him our full support and to discussing with Ambassador Smith his vision for the work of CTED in support of the CTC.

This year, the CTC has made significant progress towards obtaining a full picture of global implementation of States' counter-terrorism obligations — partly by means of the analytical process behind the Preliminary Implementation Assessments, and partly through CTED's survey of the implementation of Security Council resolution 1373 (2001), which the Committee Chairman mentioned earlier.

A strong global survey of this type fulfils the CTC's obligation to report to the Council on implementation of the resolution. Furthermore, it provides a basis for planning the work of the CTC. We believe the CTC should focus on political engagement and on technical assistance. We must engage proactively with Member States to ensure that their overall legal frameworks and specific capabilities are adequate for the huge challenge we face. The first priority in our view is that all States must fulfil the basic obligation to criminalize terrorist acts, which too many have not yet done.

It has now been more than two years since the Council adopted resolution 1624 (2005), which tackles incitement to terrorist acts. We welcome the latest report on resolution 1624 (2005), and we look forward to further work in the Committee on steps to promote implementation, best practices and assistance. The CTC continues to have a considerable task ahead of it, and we are conscious of the impending issue of CTED's mandate. But as I mentioned earlier, we will have a new and highly qualified colleague in Mike Smith to help us. We again commend the work of Ambassador Arias on this.

I turn now to the 1540 Committee. Many thanks go to Ambassador Burian for all of his work. The United Kingdom particularly commends the work that the Chairman and the 1540 experts have been doing to reach out to international organizations and to engage in substantive dialogue with States. Some of this work does not grab the headlines, but it does add great value. We found the Committee's meetings this July with assistance providers to be very useful, and we continue to support outreach events held in-country with experts from capitals.

Implementing resolution 1540 (2004) is complex; I think we heard some of that today from Ambassador Burian. We recognize that it can be burdensome for small countries. We call on all United Nations Members to lend assistance and to share their expertise and good practice. For our part, we will continue to give this priority, both nationally and through the European Union. We give our full support to the Committee's work on its role as a clearing house for assistance. We will continue to encourage further work in this area.

Security Council resolution 1540 (2004) remains as important and as relevant as when it was enacted in 2004, and we remain fully committed to its goals. I would like to voice my Government's strong support for the rollover of the 1540 Committee's mandate next year.

We welcome the increasing level of cooperation between the three expert bodies of the Committees, something we have called for some time. The fact that we had an overview of that work today is very helpful. We are also pleased that the experts play their part in the cross-United Nations Counter-Terrorism Implementation Task Force. We continue to encourage the Committees and their experts to seek new ways to strengthen coordination of their work with States to reduce the reporting burden on Governments and to make more time for high-quality engagement on implementation.

Finally, I would like to touch on the United Nations Global Counter-Terrorism Strategy (General Assembly resolution 60/288), adopted by all United Nations Member States last year. In three weeks' time, we will meet to discuss progress and future prospects for its implementation. We look forward to that opportunity to take stock of what the United Nations family and each Member State have been doing.

Finally, we should remind ourselves that the work we are doing in this area is not just theoretical; it is designed to save lives. Tackling terrorism is truly a global issue, and although there has been substantial progress in recent years, we believe that it is only by

all of us playing our part that we can truly hope to succeed.

Mr. Chávez (Peru) (*spoke in Spanish*): My delegation is grateful for the briefings given by Ambassadors Verbeke, Arias and Burian, Chairmen of the Committees established pursuant to resolutions 1267 (1999), 1373 (2001) and 1540 (2004), respectively.

Peru vigorously and unequivocally condemns terrorism in all its forms and manifestations, wherever and by whomever it is committed. No ideological, political or religious reasons can serve as justification for those who commit, abet or finance acts of terrorism. Given our experience in fighting terrorism for more than a decade, Peru seeks to contribute to the work of the subsidiary organs of the Security Council that consider this matter.

Due to the nature of the terrorist threat, cooperation among States against this criminal action is crucial; hence the importance of the role of the Security Council to strengthen this cooperation within the framework of the maintenance of international peace and security.

With respect to the Committee established pursuant to resolution 1267 (1999), we express our gratitude to Ambassador Verbeke and his team for their leadership and their hard work. We would also like to point out the contributions made by the Monitoring Team that advises the Committee.

With respect to this sanctions regime, we must bear in mind that the situation in Afghanistan continues to be of concern and that, as the Monitoring Team indicates in its seventh report, the threat from Al-Qaida has not abated. That report discusses the mixed support of States to the sanctions regime, as well as the reasons behind this situation. We believe that if we do not change aspects affecting the credibility and effectiveness of the consolidated list and the regime in general — such as by updating information, rectifying the lack of identifiers and ensuring the perception of full respect for human rights — other efforts, such as the preparation of working documents and the updating of the electronic portal to mention only two — will have only a limited effect.

With respect to the Counter-Terrorism Committee, we are pleased at the adoption of many Preliminary Implementation Assessments, which should shortly reach the recipient States. However, we believe that some issues require greater consideration, such as the inclusion of the topic of illegal immigration as an element in the dialogue with States on the implementation of resolution 1373 (2001). On a previous occasion, my delegation indicated that associating the problems of illegal immigration with the fight against terrorism prejudges the nature of such immigration. That could lead to discrimination and failure to respect for human rights and distracts attention from the greater and real problem: effective border control, which involves control of both nationals and foreigners. After they receive the relevant preliminary assessment, all States Members of the Organization should indicate whether they consider those topics to be valid.

The information compiled in these preliminary assessments will give the Committee more complete and in-depth knowledge, based on a technical analysis, about Member States' implementation of resolution 1373 (2001). It will lay a solid foundation for better understanding of national realities, a better dialogue between the Committee and Member States and, in each case, the identification of suitable approaches. That work must be carried out within a framework that promotes trust and cooperation and makes it possible to provide assistance to States that need it. In order to inspire such confidence, the Committee and its Executive Directorate should concentrate on the elements that are the focus of cooperation in the fight against terrorism — which are precisely those indicated in resolution 1373 (2001) and subsequent resolutions of this Council — without engaging in extensive interpretations of them.

Finally, we hope that Mr. Mike Smith, new Executive Director of the Counter-Terrorism Committee Executive Directorate, will be successful in his mission and that, through a technical approach based on excellent analysis, he can make the Executive Directorate — whose mandate must be renewed shortly — a partner of States in revitalizing cooperation in the fight against terrorism.

With regard to the non-proliferation of weapons of mass destruction and the danger that non-State actors will gain access to such weapons, my delegation is aware that a considerable number of countries have not yet submitted their initial reports to the 1540 Committee. Nevertheless, we must place in their proper context the reasons why such delays occur,

taking into account the lack of resources and of technical and legislative guidance, as well as each country's national priorities, primarily because most States that have still not met that requirement are developing countries.

Because of that situation and the need to support States in the full implementation of resolution 1540 (2004) while maintaining respect for their rights and obligations under the relevant treaties and conventions, the Committee should focus on assistance, playing an active role in facilitating contacts among States. In that connection, outreach activities are particularly appropriate for facilitating such efforts and for sharing national experiences. Furthermore, we appreciate the progress made in the cooperation between the 1540 Committee and international organizations, and we are confident that that relationship will contribute to the provision of assistance to States. We thank Ambassador Burian and his team for the work he has accomplished as head of the Committee.

In conclusion, I should like to indicate that, in the view of my delegation, Security Council measures in the fight against terrorism must always be in harmony with what has been agreed by the General Assembly, particularly the United Nations Global Counter-Terrorism Strategy.

Mr. Okio (Congo) (*spoke in French*): My delegation thanks you, Mr. President, for having convened this meeting in a new format that enables us to have a comprehensive assessment of the activities carried out by the three subsidiary bodies of the Security Council: the Committees established pursuant to resolutions 1267 (1999), 1373 (2001) and 1540 (2004). We also wish to commend and thank in particular Ambassadors Verbeke, Arias and Burian for the quality of their work in leading the Committees, as well as the expert groups that assist them in carrying out their missions.

As we stated in our first statement on this topic to the Security Council as an elected member, 22 months ago, the phenomenon of terrorism is spreading. Its horizontal and vertical growth leads us to compare it to the Hydra of Lerna, the serpent with seven heads that, according to mythology, would grow back as soon as they were cut off. That growth is both visible and daily, despite the national and international measures that we have taken since 2001. That can only make us worry. Therefore, we must wonder about the effectiveness of our strategies and their implementation.

What we should point out here is that the activities of the three Committees, while remarkable, certainly do not attack the root of this evil, which, moreover, is not their mandate. The Committees are committed to taking appropriate measures against Al-Qaida, the Taliban and associated individuals — all of whom are terrorists — to deprive them of travel, access to sources of financing and weapons of mass destruction. But the breeding ground for terrorism remains more or less intact. Squalor, poverty, corruption, injustices of all kinds and the illegal trade in small arms and light weapons are more present today than ever before in certain countries. And it is in that context that terrorism is spreading.

If we have more or less managed to reduce terrorism's financial and material resources, we have not yet succeeded at reducing its recruitment base. Unfortunately, when we deal with these sometimes existential issues, certain tensions arise. What should a policeman or an underpaid customs officer do when faced with the lure of corruption? What can be done by a guard at a border post who lacks the tools needed to detect a false passport, for example? We should simply like to highlight the need to pay greater attention to the essential, burning questions being asked today in vulnerable regions or countries that could become fertile ground for terrorism tomorrow.

Our fight against terrorism must be diversified to include the issues of development, development assistance and strengthened technical assistance. Of course, none of that falls within the Council's purview.

We take this opportunity to welcome the major role played by certain bodies, such as INTERPOL and the United Nations Office on Drugs and Crime (UNODC), in raising the awareness of States and the international community about the real threat of terrorism. We share the view of the Chairmen of the three Committees, who stressed in their joint statement that the primary responsibility for combating terrorism rests with Member States. That is true, but only if the State concerned itself has the means to act. Some States are nearly bankrupt. What can they do under those circumstances? Others do not even have effective control over their own territories and borders. That is why we believe that interactive action between States that provide assistance and States that request it, as

well as with all actors involved to some degree in the fight against terrorism, must be strengthened.

In that context, we also believe that particular emphasis should be placed on the situation of African countries, which for the most part have large territories and porous borders and lack appropriate infrastructure, logistics and sufficient financial and human resources. Thus, they run the risk of becoming fertile ground for the development of terrorist activity.

Finally, we call on the international community, particularly the United Nations, to encourage initiatives such as the those undertaken recently by the three Committees to fight terrorism in association with the UNODC, to continue holding seminars at the regional and subregional levels and to increase the number of visits to States, in order to share information or experience that could prove useful in the long run.

In conclusion, we ask the Security Council to take into consideration the concerns of the States of the West and Central African regions as expressed in the final document adopted at the subregional workshop held in Dakkar from 25 to 27 September 2007, so as to make it possible for them to prepare responses for the Security Council Committees involved in the fight against terrorism.

Ms. Wolcott (United States of America): The United States appreciates the leadership of Chairman Arias and welcomes his report. The Counter-Terrorism Committee (CTC) and the Counter-Terrorism Committee Executive Directorate (CTED) play an essential role in ensuring that States implement resolution 1373 (2001).

We are pleased to hear about the progress that has been made during the past six months. In particular, the CTC's adoption of 50 preliminary information assessments will help guide the efforts of States to fully implement resolution 1373 (2001). Along with the adoption of the preliminary information assessments, we wish to stress again the need for CTED to provide an analysis of the global status of the implementation by States of resolution 1373 (2001), which the Council can consider as it monitors compliance with that important resolution.

The United States commends the Committee's Executive Directorate for hosting an informal meeting in July to address the technical assistance needs of West African States in fulfilling their counter-terrorism obligations under resolution 1373 (2001). That meeting exemplifies CTED's efforts to provide a forum for States that need assistance to convey their needs in practical terms, and for donor States and organizations to better understand the ways they can help.

The United States welcomes the appointment of Ambassador Mike Smith of Australia as the new Executive Director of the Counter-Terrorism Committee. We look forward to working with both him and Chairman Arias to further the implementation of resolution 1373 (2001).

The Committee established pursuant to resolution 1267 (1999) has made important progress under Ambassador Verbeke's strong leadership. We thank him and his staff. The United States would also like to thank the Monitoring Team for its invaluable assistance in helping the Committee to discharge its mandate.

Perhaps the key issue facing the Committee today is the accuracy of the consolidated list. As has been stressed, the accuracy of the list is fundamental to ensuring that the 1267 sanctions regime continues to contribute in a meaningful way to international counter-terrorism efforts. Almost a year after the adoption of resolution 1735 (2006), in which the Council stressed the importance of improving the quality of the list, the Monitoring Team has found that list does not sufficiently reflect the real and persistent threat of terrorism.

The United States strongly believes that the Committee must focus on updating the list to make it a relevant and potent tool in the fight against the Taliban and Al-Qaida in Afghanistan. We believe in a three-pronged approach clearly laid out in resolution 1735 (2006) — sanctioning new Taliban who are responsible for the current upsurge in violence, de-listing former Taliban who have severed their ties and adding new and updated biographical information to help States better enforce the sanctions.

While we welcome recent action by the Committee to add one individual to the Taliban section of the list, much work remains to be done. Many prominent Taliban and Al-Qaida leaders have not been listed, and the Committee must make progress on pending de-listing issues before it. The United States is confident that under the dedicated stewardship of Ambassador Verbeke, the Committee will make progress on updating Taliban entries and the other

important issues on its agenda. We pledge our full support in his efforts to do so.

We would also like to thank Chairman Burian for his presentation and for his accomplishments during the past six months. Resolution 1540 (2004) is a significant tool for addressing the threat to international peace and security posed by the proliferation of weapons of mass destruction, their means of delivery and related materials. We applaud the Committee's efforts to monitor and promote the implementation of the resolution.

We support the Committee's cooperation with organizations such as the International Atomic Energy Agency and the Organization for the Prohibition of Chemical Weapons, as well as with regional organizations such as the Organization for Security and Cooperation in Europe, the Organization of American States and the Regional Forum of the Association of Southeast Asian Nations. It is noteworthy that, through decisions adopted by those regional organizations, 112 States have committed to develop implementation plans or action plans for the implementation of resolution 1540 (2004), as and if appropriate. The work of those regional organizations complements the efforts of the Security Council's 1540 Committee. We encourage the Committee to forge close links with those and other regional organizations.

We are pleased that the Committee has transmitted its updated matrices to States. We also intend to provide consent for the Committee to post the United States matrix on the Committee's website and hope other States will do the same. Posting the matrices will provide important transparency and facilitate the delivery of technical assistance to States that need it. Finally, we welcome the Committee's ongoing outreach efforts as well as the Chairman's personal leadership in that important initiative.

Together with Norway and the European Union, the United States was pleased to co-sponsor the recent workshop held in Jordan on the implementation of resolution 1540 (2004). We look forward to co-sponsoring, together with Andorra and Norway, the workshop in Botswana later this month.

We appreciate the instances that demonstrate cooperation among all three Committees, specifically the collaborative workshop that the 1267 Committee's Monitoring Team, the experts of the 1540 Committee and CTED organized recently in Dakar, and the comparable workshop that those three bodies will hold in Botswana later this month, as has been discussed. We encourage all three Committees to continue to coordinate and to undertake more joint efforts.

Mr. Ripert (France) (*spoke in French*): As those who have spoken before me have done, I too would like to thank you, Mr. President, for having organized this meeting to jointly hear the briefings of the Chairpersons of the three Committees.

Together, the Committees provide a response to a broad range of the acute threats of terrorism and proliferation. In establishing them, the Security Council began the patient work of improving the capacity of all members of the international community to combat terrorism. The Council should continue to closely follow the work of the three Committees and to encourage proper cooperation and exchange of experiences among them in line with their respective mandates. We are pleased with the specific progress reported in that connection.

The three Security Council Committees and their groups of experts should also continue to participate actively in the work of the special team established to promote the implementation of the Global Counter-Terrorism Strategy, which was adopted by the General Assembly in September 2006. This undertaking is contributing to greater coherence in the mobilization of the United Nations, which France believes continues to be essential.

While we fully endorse the statement to be delivered on behalf of the presidency of the European Union, I should like to underscore a few points.

The Committee established pursuant to resolution 1540 (2004) plays an important part in our operations to counter terrorism and proliferation. France hopes that it will achieve all the goals set out in its programme of work. As set out in Ambassador Burian's briefing, significant progress has been made this year: new national reports have been received, matrices have been transmitted to States and there is a very clear trend towards intensifying communication and assistance efforts. However, much remains to be done.

Fifty-four States have yet to submit their national reports, and almost 40 States have provided only one report — and that perhaps two or three years ago. We are therefore far off the mark. No effort should be spared in assisting States to meet their obligations and

provide information to the Committee. In that regard, we must make progress in establishing individual dialogue with those States, identifying best practices and developing working relationships with other organizations such as the IAEA, the European Union and the Organization for Security and Cooperation in Europe. The 1540 Committee has a key role to play in establishing a link between the supply of and demand for assistance.

France hopes that we will be able to make progress in those areas with a view to renewing the Committee's mandate next April.

With Ambassador Verbeke, we welcome the progress made by the 1267 Committee since the beginning of the year to improve the effectiveness of the sanctions regime.

First of all, my country, which was one of the originators of the concept, would like to welcome the Secretary-General's establishment of a focal point. We also welcome the tailoring of guidelines for the various sanctions Committees initiated by the 1267 Committee. The focal point is now operational, and requests for de-listing have been submitted to several sanctions Committees through it. That is major progress for sanctions regimes, beginning with the regime under the 1267 Committee, whose list includes several hundred persons.

The 1267 Committee has made efforts to improve the quality of its consolidated list by including several new identifying indicators. We have made our contribution in that regard and would like to thank all Member States who have provided such information. That will play a crucial role in the actual implementation of sanctions. This effort must continue to be a priority of the 1267 Committee.

But that will not be helpful if the consolidated list remains static. In resolution 1735 (2006), the Council said that it is vital to continually adapt the List to the reality of the threat posed by Al-Qaida, the Taliban and their associates. Adapting the section of the List relating to the Taliban appears to us to be a priority.

Finally, we welcome the adoption by the Counter-Terrorism Committee, chaired by Ambassador Arias, of the first Preliminary Implementation Assessments (PIAs) for about 50 Member States pursuant to resolution 1373 (2001). This required a great deal of work by the CTED and the experts of the three subcommittees. This effort must continue, so that the Committee can adopt as soon as possible a PIA for each State and will then be able, on that basis, to pursue a dialogue tailored to each respective State.

In order to strengthen the follow-up to the implementation of resolution 1373 (2001), the Committee will also, between now and the end of the year, need to complete its report on overall implementation. We hope that this study will show us where we are going and allow us to set priorities.

Almost six years after the adoption of this fundamental resolution, the Security Council should be in a position to conduct an intermediate review. That is why we are going through this exercise, which is at the heart of the mandate of the Counter-Terrorism Committee.

In conclusion, I would like to emphasize the importance of questions raised by the representative of Congo. There will be no international action that is effective without collective ownership of the campaign to combat terrorism and proliferation, which requires, of course, the strengthening of cooperation with States that need international assistance in order to meet their obligations. We also serve for that purpose.

Mr. Kumalo (South Africa): My delegation wishes to express its appreciation to the Chairs of the three subsidiary bodies for their joint statement, as well as for the individual briefings relating to their mandates.

This is the second briefing of this nature to the Council this year on the important subject of anti-terrorism and we acknowledge that some progress has been made, including with respect to coordinating the work of the Security Council's various subsidiary structures dealing with terrorism.

Notwithstanding this limited progress, South Africa is firmly of the view that the time has come to include all States Members of the United Nations in the decision-making processes with regard to United Nations anti-terror activities. The democratization of the United Nations anti terror agenda can be achieved by shifting the focus from the Security Council to the General Assembly and to the international treaty regimes and relevant technical bodies. The recently adopted United Nations Global Counter-Terrorism Strategy is an important step in that direction.

We would like to highlight the following points that relate to the work of the Al-Qaida and Taliban Sanctions Committee. The practical utility of the Consolidated List continues to be undermined by the omission of the names of a large number of alleged Al-Qaida and Taliban suspects who are currently detained in numerous parts of the world, by the continued inclusion of deceased persons on the List and by inadequate identifiers and procedures for conducting reviews of the List pursuant to paragraph 6 (i) of the Committee's Guidelines.

The procedures of the Committee, which do not adequately provide for due process, are inherently flawed and are aimed at maintaining the status quo. The Monitoring Team has made useful recommendations on improving Committee procedures in its seventh report that warrant serious consideration. We also welcome the independent study that is being conducted on this topic.

It is encouraging that the Committee continues to apply the exemptions under resolution 1452 (2002), as they are aimed at alleviating unnecessary hardship for listed individuals and their dependents. The Committee should examine obstacles to reaching speedy decisions on exemptions, particularly the use of holds. We look forward to receiving a report on this matter at the next briefing to the Council.

Turning to the 1540 Committee, it is South Africa's firm conviction that weapons of mass destruction do not guarantee security, but rather detract from it. South Africa continues to believe that the objectives of disarmament and non-proliferation are mutually reinforcing processes that require continuous and irreversible progress on both fronts.

At the outset, it is important to bear in mind that resolution 1540 (2004) is a limited and selective instrument that addresses only potential proliferation by non-State actors. It cannot be cited when considering potential horizontal proliferation by State actors, nor does it address vertical proliferation or disarmament.

Whilst no State is immune to the threat of weapons of mass destruction in terrorist hands and no State has room for complacency insofar as implementing their 1540 obligations are concerned, the 1540 Committee ought to acknowledge the differing proliferation risk profiles of States. There is currently too much emphasis on the countries that pose the least proliferation threat and on achieving universal and standardized reporting applicable both to countries that have nuclear weapons and nuclear, chemical and biological capabilities, on the one hand, and to those that do not, on the other.

South Africa welcomes the fact that the Security Council, through resolution 1540 (2004), underscored the centrality of the existing multilateral arrangements dealing with the scourge of weapons of mass destruction. These multilateral arrangements are premised on maintaining an appropriate balance between disarmament and non-proliferation, while upholding the rights of all States to the peaceful use of relevant technologies under appropriate safeguards. Ensuring access to technologies for peaceful purposes, as an important catalyst to development, should therefore also remain a central consideration of the Committee as it assists States in meeting their non-proliferation obligations.

While it would not be appropriate for the 1540 Committee to engage in pure development activities, South Africa believes that the "negative" objective of preventing proliferation is intricately linked to the "positive" objective of explaining how to pursue proliferation-secure trade, financing and technology transfers. Both of these aspects are relevant to the Committee's mandate and should receive balanced attention in the Committee's outreach, best practice development, assistance and other activities.

South Africa further welcomes the fact that the Committee's current outreach planning takes cognizance of the fact that there are important synergies between the objectives of resolution 1540 (2004) and other important developmental and security objectives of States. It is our firm belief that efforts to concretely address these issues would go a long way to countering the "buy in" deficit amongst Member States regarding the work of the Committee.

I now turn to the Counter-Terrorism Committee (CTC) and would like to congratulate Ambassador Mike Smith on his appointment as the new Executive Director of the Counter-Terrorism Committee Executive Directorate (CTED). The recent adoption of 50 Preliminary Implementation Assessments (PIAs) by the CTC is a noteworthy achievement. The PIAs are potentially useful tools insofar as they may help States to identify gaps in implementation and assistance needs. The PIAs are not an end in themselves, nor are

they tools for assessing compliance. Rather, they are a means of facilitating dialogue between the CTC, CTED and the general membership.

It is important that the forthcoming survey of the implementation of resolution 1373 (2001) should provide a comprehensive assessment of anti-terror activities around the world, including respect for international law and human rights whilst countering terrorism. This survey should be critical and balanced, acknowledging the divergent threats, realities and priorities in different parts of the world, and it should refrain from targeting specific Member States or regions.

CTED's mandate expires at the end of 2007, and the General Assembly is reviewing the implementation of the United Nations Global Counter-Terrorism Strategy. This is an opportunity for the collective United Nations membership to give serious consideration to the way forward. We need to ask ourselves whether the Security Council's approach has yielded practical results and buy-in from the wider United Nations membership and whether subsidiary bodies of the Security Council are the most appropriate bodies within the United Nations system to be handling technical assistance issues.

Mr. Al-Nasser (Qatar) (*spoke in Arabic*): I would like to thank you, Mr. President, for convening today's debate and to thank my colleagues Ambassadors Johan Verbeke, Ricardo Alberto Arias and Peter Burian for their informative briefings on the work of the Committees established pursuant to resolutions 1267 (1999), 1373 (2001) and 1540 (2004), respectively.

There is no doubt that the winning fight against terrorism is a common objective of all Member States. We all agree on the importance of implementing the necessary United Nations mechanisms for that purpose. It is essential, however, to stress a matter of principle: that the international Organization must define the term "terrorism" so that we know, without any doubt or room for interpretation, what we are combating. The phenomenon should be diagnosed by examining its root causes, particularly its relationship to foreign occupation, the absence of the rule of law, human rights violations, discrimination, exclusion and marginalization.

The State of Qatar believes that terrorism must be combated, not avenged, and that security must not be protected at the expense of fundamental freedoms or human rights, because these are rights that are not bound by time or circumstances. For counter-terrorism measures to remain credible, they must be in conformity with the basic principles and purposes of the United Nations Charter, the rules and principles of international law, international standards of justice, provisions of international humanitarian law and human rights law. They must also avoid political and ethical double standards, lest the credibility of the Council and its efforts be jeopardized.

The three subsidiary bodies on terrorism constitute an important part of the United Nations counter-terrorism campaign. Their working methods and coordination need, therefore, to be improved and harmonized with legal rules and considerations. Transparency, human rights and pre-emptory norms should not be contravened in any way whatsoever and must be taken into account in order to preserve the credibility and effectiveness of targeted sanctions imposed by the Council.

In the 1267 Committee, on Al-Qaida and the Taliban, my delegation has been, since it joined the Security Council, in the forefront of members working to further improve the Sanctions Committee's listing, de-listing and review procedures, for we are aware of the legal concerns related to the current system of targeted sanctions. In some cases, such concerns have led individuals and entities included on the sanctions list to press charges before national or regional courts. We have made strenuous efforts to strengthen the sanctions regime and to establish fair and clear listing and de-listing procedures. For instance, we improved the Committee guidelines, specifically paragraph 6 (i), which now calls for a review of the names after a certain period of time.

But those improvements were watered down and became vague; except for one case, it has been difficult to review the names on the list since the system became operational. The delegation of Qatar has called on the Secretary-General to propose fair and clear procedures for listing and de-listing individuals and entities, and for granting humanitarian exceptions, in accordance with paragraph 109 of the 2005 World Summit Outcome (General Assembly resolution 60/2).

In a letter dated 15 June 2006, the Secretary-General actually submitted recommendations regarding de-listing procedures. The Security Council also stressed, in its presidential statement of 22 June 2006

(S/PRST/2006/28), its commitment to ensure that fair and clear procedures exist for placing individuals and entities on sanctions lists and for removing them, as well as for granting humanitarian exemptions. The Council later adopted resolution 1730 (2006). We voted in favour of that resolution because it constituted a first step, despite the fact that many of our proposals were not taken into account.

Resolution 1730 (2006) does not fully serve the purpose; there is still need for a real system for reviewing listing and de-listing decisions. To that end, a monitoring and review mechanism must be established, perhaps in the form of an independent review panel with the authority to consider, in a neutral and independent way, requests for de-listing, investigate such requests and obtain additional information from Member States in order to provide effective redress.

By contrast, the current sanctions regime and the procedures for listing and de-listing, reviewing the names and granting humanitarian exemptions still lack flexibility and the ability to adapt to the concerns and proposals of States regarding the need to completely overhaul the system.

The seventh report of the Al-Qaida and Taliban Committee's Monitoring Team has noted that the list's lack of consonance with current risks undermines the effectiveness of the sanctions regime. The report states that, while listing procedures are now clearer and are available on the Committee's website, the names of many prominent Al-Qaida and Taliban leaders have not been listed and that, since the beginning of 2007, only five names have been added: the lowest-ever annual listing rate. This strikingly continues the downward trend we have seen since 2001.

As noted in paragraph 26 of the Monitoring Team report, Member States informed the Team that the reasons for the failure to submit more names arise either from practical motives, such as a listing's potential publicity impact on an investigation, or from legal motives, such as the consequences for a legal appeal regarding the implementation of sanctions measures. Confidence in the specific sanctions regime against Al-Qaida and the Taliban has started to erode for a reason known to all: the sanctions regime's failure to abide by legal controls and standards.

Our legal interpretation of the sanctions regime and related Security Council resolutions is consistent with that of the International Court of Justice. As a matter of principle, Security Council resolutions are binding, by virtue of Article 25 of the Charter, when the Council adopts its resolutions in accordance with Article 25 — in other words, when the Council performs its duties in accordance with the purposes and principles of the United Nations, as set out in Article 1 of the Charter, and specifically in accordance with the principles of justice and international law, and more important, the principles of human rights and fundamental freedoms for all.

Article 103 of the Charter provides that obligations under the Charter prevail over other obligations, but this does not mean that they prevail over or supersede pre-emptory norms of *jus cogens*. In other words, the framers of the Charter did not give the Council a blank cheque to impose sanctions or take actions that violate the purposes and principles of the Charter or violate the sovereignty of States and that do not take into account internationally recognized legal controls and standards — especially since the political nature of the Council's resolutions does not exclude the possibility that the Council might take an action that is contrary to the purposes and principles of the United Nations Charter.

Field visits to Member States are among the essential activities of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism (CTC). We clearly note, however, an imbalance between visits made to the countries of the South compared to those made to the countries of the North. That state of affairs does not serve the objectivity and transparency that must characterize such visits. My delegation has proposed that visits be made to some countries of the North, but the proposal was blocked by countries of the North in the Committee.

The fact that the Counter-Terrorism Committee is open-ended prompts us to wonder when the Committee's mandate will end. Will we see the day when we can verify that it has achieved the task for which it was established — in other words, that Member States have fully fulfilled their obligations under resolution 1373 (2001)? Despite the many accomplishments, we must draw attention to the wasted efforts and resources and the lack of full coordination with the General Assembly and with other organizations in implementing the purposes of the resolution.

In the light of General Assembly resolution 60/288, adopted in September 2006, on the United Nations Global Counter-Terrorism Strategy, the appropriate common mechanism to coordinate financial, human and technical efforts in this sphere is the Counter-Terrorism Implementation Task Force, which encompasses nearly 24 entities, including the Counter-Terrorism Committee Executive Directorate (CTED). We should therefore think seriously about the feasibility of the continued existence of the CTED and its possible integration in the Task Force, in order to ensure overall coordination and consistency in the counter-terrorism efforts of the United Nations system.

I should recall that Security Council resolution 1624 (2005) stresses the need to continue international efforts to enhance dialogue and broaden understanding among civilizations, in an effort to prevent the indiscriminate targeting of different religions and cultures, and stresses the importance of the role of the media in enhancing dialogue, broadening understanding, promoting tolerance and coexistence and fostering an environment which is not conducive to incitement of terrorism.

We take the opportunity to note the leading role played by my country at the international level to promote dialogue among cultures and religions. We call again on the CTC to firmly address the issue of the arbitrary targeting of religions and cultures and urge Member States to criminalize the defamation of religion.

It is regrettable that since the last joint briefing (see S/PV.5679) only one Member State has submitted its first report to the Security Council Committee established pursuant to resolution 1540 (2004). The Committee should therefore continue to consider all possible means to assist States in submitting their reports, such as the recent distribution of a standard matrix to assist States that have not submitted their reports.

Finally, we stress that cooperation and coordination among the Committees, Member States and international organizations is a critical element that contributes to effective performance. In the context of such cooperation, coordination among Committee experts is a positive thing and should be continued in order to effectively combat terrorism.

Let me note in conclusion that the question that presents itself first and foremost is whether we really know what terrorism is.

The President: I shall now make a statement in my capacity as the representative of Indonesia.

I should like to preface Indonesia's comments by expressing our thanks to the Chairmen of the 1267 Committee, the Counter-Terrorism Committee (CTC) and the 1540 Committee for their comprehensive briefings on their respective work. My delegation commends once again the quality of the work undertaken by the three terrorism-related Committees. I also wish to use this opportunity to extend our appreciation for their initiative to deliver a joint statement of the Committees. We are of the view that such an approach reflects greater coordination among subsidiary bodies of the Security Council entrusted to deal with terrorism.

With regard to the 1267 Committee, I would like to reassert Indonesia's unwavering commitment to promote the effective implementation, legitimacy and credibility of the 1267 sanctions regime. We are fully committed to joint efforts to improve the quality of the consolidated list, particularly through enhancing its completeness and accuracy. My delegation has some concern about the fact that there has been mixed support by Member States in implementing the sanctions regime.

In line with observations made by the Monitoring Team of the 1267 Committee, my delegation identified some underlying causes of the situation that should be adequately addressed by the Committee. We have noted a growing perception that the current procedure is not adequately fair and clear. The perception of unfairness in the application of targeted sanctions has also generated concerns in several countries. Moreover, the growing number of legal cases in the national courts of Member States questioning the conformity of the sanctions measures with human rights principles will potentially pose significant challenges to the efficacy and credibility of the 1267 sanctions regime.

My delegation is of the view that mainstreaming procedural fairness and asserting human rights principles in the work of the Committee will also strengthen the effectiveness of the implementation of the 1267 sanctions regime. Legitimacy and credibility of the sanctions regime will also depend, in large part, on its procedural fairness.

We welcome the adoption of resolution 1730 (2006), by which a focal point for receiving de-listing requests from individuals has been established, as an achievement for the improvement of sanctions procedures. However, my delegation maintains that the establishment of such a focal point has yet to meet the minimum standard required to ensure fair and clear procedure. In that regard, my delegation attaches great importance to the basic elements of minimum standards as indicated in the letter of the Secretary-General to the President of the Security Council dated 15 June 2006.

On the issue of compliance, my delegation welcomes the commitment of the Committee to develop specific and general recommendations based on an analysis of what could be done to prevent possible non-compliance, including by identifying the challenges and difficulties faced by States in implementing the sanctions. We should not lose sight of the fact that an overly imperious approach to ensuring compliance could jeopardize the high level of cooperation that has been consistently shown by States.

Now let me touch upon the briefing on the work of the Counter-Terrorism Committee. My delegation underscores the role played by the CTC in creating and sustaining international momentum to strengthen counter-terrorism efforts. Cooperation, transparency, even-handedness and consistency in approach must always be guiding principles of the work of the CTC.

Indonesia underlines the importance of thorough and consistent analysis by the Counter-Terrorism Committee Executive Directorate (CTED) of the implementation by Member States of resolution 1373 (2001). Indonesia also welcomes the adoption of Preliminary Implementation Assessments (PIAs) as an effective tool to enhance the CTC's ability to evaluate the implementation of the resolution. On the quality of the PIAs that have been discussed in the CTC, we have identified some areas of their content that should be further improved.

With regard to the visits carried out by CTED, I would like to reiterate their significance, particularly in promoting a better understanding of the progress of all States in meeting their obligations and in collecting information about their needs. With a view to promoting the credibility of the visits as one of the objective tools for assessing the implementation of Member States, we emphasize the need for CTED to employ a more balanced approach in proposing the States to be visited to the CTC. We believe that visiting developing and developed countries would also generate some positive impacts and benefits for the work of the CTC.

Concerning the expiration of the mandate of CTED on 31 December 2007, as provided for in resolution 1535 (2004), I should like to suggest that the Security Council start considering the matter at its earliest convenience. My delegation is ready to engage in a comprehensive evaluation of the work of CTED in reinforcing the functions of the CTC.

Turning to the 1540 (2004) Committee, I would like to reassert Indonesia's supports for the main tasks of the Committee: promoting global capacity and raising international standards for implementing the resolution. In our view, the work of the Committee should be done within its mandate and be guided by the principles of cooperation, transparency and equal treatment. Indonesia will, as always, continue to actively support and participate in the work of the Committee.

As for the issue of reporting on the implementation of the resolution, we should acknowledge that resolution 1540 (2004) reporting requirements are perceived by some Member States as too complicated and unsuited to the capabilities of many developing countries. For developing countries with limited resources and many other equally pressing priorities, the increasing burden of reporting in its various forms can be overwhelming. That is a fact that should be adequately addressed by the Committee in considering any additional measure to achieve full implementation of the resolution.

Finally, my delegation believes that the full implementation of resolutions 1267 (1999), 1373 (2001) and 1540 (2004) can be effectively carried out through continuous efforts, patience, dialogue, cooperation and assistance. In that regard, we underline the significance of outreach activities and technical assistance. Such efforts have positive implications for the comprehensive implementation of the resolutions. As far as the provision of technical assistance is concerned, Indonesia stresses that it should be provided upon the request of a State in a way that respects sovereignty and national priorities.

I now resume my responsibilities as President of the Security Council.

I call on the representative of Cuba.

Mr. Malmierca Díaz (Cuba) (*spoke in Spanish*): Allow me at the outset, on behalf of the Cuban delegation, to congratulate you, Sir, and your team on your excellent work in the presidency of the Security Council. I also thank the Chairmen of the Committees established pursuant to resolutions 1267 (1999), 1373 (2001) and 1540 (2004) for the information provided at this meeting.

Our country has for several years been providing the Security Council with detailed information on the terrorist attacks on Cuba perpetrated by several persons and organizations, as well as on the conspiratorial protection that the United States Government affords them. On numerous occasions during the past few months, we have addressed this Chamber to warn about the potential release of the international terrorist Luis Posada Carriles. We have requested again and again the adoption of concrete steps to prevent such despicable acts from being carried out. The Counter-Terrorism Committee was informed about that issue in a timely and comprehensive manner, to no avail.

Posada Carriles, who has been rightly called the most notorious terrorist of the western hemisphere, was released on 8 May amidst the protests of hundreds of solidarity movements and political forces around the world and within the United States itself, demanding that the criminal be brought to justice. In spite of the fact that the United States Government itself has admitted that he is a dangerous terrorist, Posada Carriles was charged only with petty migration offences. There is no doubt that the intention has always been to avoid his disclosure of the details of his terrorist actions against Cuba, Venezuela and other countries while acting under orders of the Central Intelligence Agency for more than 25 years.

On 6 November, the United States Government lodged an appeal to the Federal Court in response to the release of Posada Carriles. It was nothing but a smokescreen, a new underhanded publicity stunt. It was yet another action to conceal the confessed terrorist's guilt. The appeal further fails to mention anything whatsoever about Posada Carriles's massive terrorist record. The United States insists on assigning mere immigration offence status to the case, thus ensuring the terrorist's definitive release and the disappearance of all charges against him.

Cuba stands once again before the Security Council to firmly denounce and condemn the complicity and absolute responsibility of the United States Government for that person's release, while American spokespersons seek to distort reality and present Posada Carriles's case as a bilateral dispute between Washington and Havana or between Washington and Caracas.

On 6 October, we commemorate another anniversary of the gruesome terrorist act committed by Posada Carriles against a Cubana de Aviación jetliner, killing 73 people. When Cuba consequently requested the Security Council to act, nothing was done. The draft resolution that our country submitted to this organ was not even considered. The representative of the United States, in addressing the Council at that meeting, deemed it a waste of time.

Another mastermind behind the mid-air bombing of the Cuban jet, Orlando Bosch, continues to walk the streets of the United States in freedom, while bragging about his numerous terrorist acts against Cuba. The Cuban Government demands once again that Washington return Posada Carriles to Venezuela or try him in United States territory under article 7 of the Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation, which stipulates that

> "The Contracting State in the territory of which the alleged offender is found shall, if it does not extradite him, be obliged, without exception whatsoever and whether or not the offence was committed in its territory, to submit the case to its competent authorities for the purpose of prosecution."

The Cuban people have also had to mourn, on 11 September, another anniversary of the assassination of Félix Garcia, a diplomat of the Cuban Mission to the United Nations. He was riddled with bullets when he stopped his car at a red light in Queens, not far from this building. The murderer was Pedro Crispin Remón, a member of the anti-Cuban terrorist organization Omega-7 and the same person who decades later attempted to assassinate President Fidel Castro at the University of Panama, in complicity with Posada Carriles. Despite Cuba's accusations, including those submitted on numerous occasions to the Security Council, that terrorist also lives today completely freely in Miami.

While confessed and unscrupulous terrorists are released, the United States Government keeps as political prisoners in high-security jails five Cuban youths who were only seeking, with lofty altruism and courage, to obtain information on the Miami-based terrorist groups in order to prevent their acts of violence and save the lives of Cuban and United States citizens. Cuba again demands the immediate release of Gerardo Hernández, Ramón Labañino, Fernándo González, Antonio Guerrero and René González, counter-terrorist fighters who have been held hostage in United States prisons for 10 years now.

Cuba reiterates its request to the Security Council and its Counter-Terrorism Committee to take urgently into consideration the comprehensive information that our country has provided and to ensure that all necessary steps are taken in accordance with the relevant resolutions. At a minimum, this organ must demand that the United States Government try Luis Posada Carriles immediately for his acts of terrorism or extradite him to the Bolivarian Republic of Venezuela, where he is wanted by the law.

Double standards must not prevail. The Security Council must not continue to keep conspiratorial silence in view of that blatant affront to the victims of terrorism throughout the world. It is impossible to eradicate terrorism if some terrorist acts are condemned while others are covered up, accepted or justified or if the issue is simply manipulated in order to protect narrow political interests.

Cuba has never allowed and never will it allow its territory to be used for terrorist action against any State, without exception. We will continue resolutely to fight terrorism in all its manifestations and forms.

As it has done to date, Cuba will continue to comply strictly with Security Council resolutions 1267 (1999), 1373 (2001) and 1540 (2004) and will pursue its cooperation with the subsidiary bodies created pursuant to such resolutions.

The President: I now give the floor to the representative of Liechtenstein.

Mr. Wenaweser (Liechtenstein): I have the honour to speak on behalf of Switzerland and my own country, Liechtenstein.

At the outset, I thank the Chairpersons of the various Committees that have briefed the Council on their work this morning. I would also like to take this opportunity to reiterate our commitment to international cooperation in the fight against terrorism. We join all other States in the unequivocal condemnation of all terrorist acts, irrespective of their motivation and wherever and by whomever they are committed.

Liechtenstein and Switzerland fully support the work of the Counter-Terrorism Committee (CTC) and the Security Council Committees established pursuant to resolutions 1267 (1999) and 1540 (2004). We would like to congratulate the new Executive Director of the Counter-Terrorism Committee Executive Directorate (CTED), Mr. Mike Smith, on his appointment. We are hopeful that he will invigorate the leadership on United Nations counter-terrorism work and, in particular, bring greater coherence to the work of the three Security Council Committees dealing with terrorism. We understand that the CTC made an important step last week in approving letters transmitting Preliminary Implementation Assessments to a number of Member States. We look forward to working with the CTC in this next phase of its work.

We have recently received an updated matrix from the 1540 Committee, accompanied by a request to provide further information on the implementation of resolution 1540 (2004). We commend the Committee and its group of experts for their work — and, in particular, for their working methods, which can serve as a best practice for other committees as well. In general, we believe that there is much room to promote a more integrated approach to United Nations activities on counter-terrorism, and we do support ideas aimed at further consolidating the Council's respective Committees.

As in previous statements on this subject, we would like to focus our remarks on the work of the Al-Qaida and Taliban Sanctions Committee. During the most recent meeting on this issue, in May 2007 (see S/PV.5679), we commended the members of the Council for their hard work leading to the adoption of resolutions 1730 (2006) and 1735 (2006). We considered the establishment of a Secretariat focal point for de-listing to be an important step to improve access by listed individuals and entities to the de-listing procedure. At the same time, we made it clear that, in our view, the mandate of the focal point has mainly improved the access of listed individuals and entities to the de-listing procedures of the sanctions committees, and does not address other

important rights, such as the right to an effective remedy. We thus believe that the current system does not provide sufficient safeguards for international human rights standards, as identified in the letter of the Secretary-General of June 2006, to which you yourself referred, Mr. President, in the statement that you delivered in your national capacity.

Many Member States still have concerns regarding the requirement of "fair and clear procedures", contained in paragraph 109 of the 2005 World Summit Outcome (General Assembly resolution 60/1), in the Council's use of targeted sanctions. In order to facilitate a constructive discussion on that issue, we organized a round table on de-listing on 8 November 2007. The event was sponsored by the missions of Denmark, Sweden and Switzerland and was open to all States Members of the United Nations and invited representatives of the Secretariat, non-governmental organizations and academia. At that meeting, participants exchanged views on a discussion paper based on the research of Professor Michael Bothe of the University of Frankfurt regarding the establishment of a review panel to deal with petitions for de-listing.

We feel encouraged by the broad interest of Member States in further improving sanctions procedures and by the support expressed on the occasion of the workshop, while also noting that some Council members have reservations about further measures at this point in time. We will continue to reach out to those who are sceptical as well as to those who express support, both members of the Council and States not currently serving on the Council, in order to facilitate an informed and substantive discussion within the Security Council.

We are convinced that the issue will remain on the agenda of Member States for some time to come, in particular in the light of domestic and international court proceedings, which can have an impact on the effectiveness of sanctions regimes. Our contribution to this discussion is motivated by the desire to strengthen sanctions regimes and to enhance the effectiveness and legitimacy of the Security Council in accordance with the commitment made at the 2005 World Summit, and by our commitment to uphold all applicable standards of human rights.

The fight against terrorism concerns all States Members of the United Nations and should therefore benefit from contributions from all partners involved. We therefore believe that it is a good policy choice for the Security Council to continue to engage in dialogue with non-members of the Council. We look forward to cooperating further with the Council on this important issue.

The President: I now give the floor to the representative of the Bolivarian Republic of Venezuela.

Ms. Rodríguez de Ortiz (Bolivarian Republic of Venezuela) (*spoke in Spanish*): Our delegation would like to congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of November 2007. We would also like to thank the Chairmen of the Committees established pursuant to resolutions 1267 (1999), 1373 (2001) and 1540 (2004) for the information that they have provided.

The Government of the Bolivarian Republic of Venezuela reiterates its total condemnation of any act of terrorism as a criminal and unjustifiable act and reaffirms its commitment to combating terrorism in all its forms and manifestations, in strict accordance with international law, international norms for the protection of human rights and international humanitarian law. That commitment has been reiterated by our country at all of the relevant international forums. The fundamental expression of that policy was the strengthening of the legal framework designed to prevent terrorist acts and the adoption of measures to intensify regional and global cooperation in order to fight this scourge. In that fight, our country also reaffirms its commitment to the United Nations Global Counter-Terrorism Strategy, adopted in September 2006 by the General Assembly through its resolution 60/288.

The measures and rules adopted to strengthen our national legislation for fighting terrorism in accordance with the international legal framework, including the relevant Security Council resolutions, are reflected in the reports that we have provided to the relevant Security Council committees.

Resolution 1373 (2001), in paragraphs 2 (c) and 3 (g), bars States from offering safe haven to those who commit terrorist acts and prohibits States from recognizing claims of political motivation as grounds for refusing requests for the extradition of terrorists. It is therefore crucial that those who commit terrorist acts not enjoy impunity. In the fight against terrorism, all States must fully cooperate, in accordance with

international law, in order to find, capture, deny refuge and bring to justice, on the basis of the principle of prosecution or extradition and of States' own national legislation, those who support or facilitate the financing, planning, preparation or commission of terrorist acts and those who provide safe haven to such persons or participate or attempt to participate in such acts.

In this context, our delegation would like to recall once again before this Council the extradition request that the Venezuelan Government has submitted to the United States Government in relation to the notorious international criminal and terrorist, Luís Posada Carriles. This terrorist, a refugee from Venezuelan justice since the 1960s, is responsible for carrying out many terrorist plans. The most famous of his crimes is the blowing up of a Cubana de Aviación jetliner, which occurred in Barbados in 1976 and in which 73 innocent civilians perished.

Despite the fact that the United States delegation has affirmed on several occasions in this Council that they are reviewing the extradition request submitted by our country, the reality is that they have simply ignored this request, which the Venezuelan Government submitted more than two years ago, complying with all the relevant requirements.

Currently, Luís Posada Carriles is free in United States territory because, instead of arresting him as a terrorist and proceeding to his extradition in accordance with the request made by the Bolivarian Republic of Venezuela and in compliance with the bilateral extradition treaty signed by both countries in 1922, the Government of the United States simply tried him for immigration fraud. Although United States authorities recently appealed the legal decision that released him in total freedom and rejected the charges against him, that action is simply another technical manoeuvre to prolong the immigration charges while they overlook the extradition request submitted by Venezuela.

The United States is also obliged — through the provisions of the International Convention for the Suppression of Terrorist Bombings, which entered into force on 23 May 2001, and through the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, which entered into force on 26 January 1973 and to which it is a State party — to extradite Luís Posada Carriles or, failing that, to submit the case to its competent authorities for indictment, without any exception whatsoever and whether or not the offence was committed in its territory.

Venezuela's extradition request regarding the terrorist Luís Posada Carriles has been supported in different forums, including in the statement by the Coordinating Bureau of the Movement of Non-Aligned Countries dated 20 April 2007, the declaration by heads of State or Government of the countries that are members of the Bolivarian Alternative for the People of Our America dated 29 April 2007, and the communiqué of the States members of the Common Market of the South dated 22 May 2007. More recently, the heads of State and Government of the Ibero-American countries, who met in Santiago, Chile for the twenty-seventh Ibero-American Summit, adopted a special communiqué in support of the fight against terrorism which rejected the fact that the person responsible for the terrorist attack on a Cubana de Aviación jetliner in October 1976, which caused the deaths of 73 innocent civilians, has not been prosecuted for terrorism and which supported steps to bring about his extradition or to bring him to justice.

The case of terrorist Luís Posada Carriles is an example that proves the double standard of a Government that says it is fighting terrorism and endorses terrorist methods through its conduct. Regrettably, terrorism will not be defeated if we continue to act selectively and apply a double standard, as the current United States Administration has been doing.

We reiterate once again our request that the Counter-Terrorism Committee examine and verify compliance by the United States with its obligations in the fight against terrorism, in accordance with Security Council resolution 1373 (2001) and the aforementioned legal instruments in the specific case of our extradition request concerning the terrorist Luís Posada Carriles.

The President: I give the floor to the representative of Australia.

Ms. Lisson (Australia): Australia wishes to record its appreciation and strong support for the work of the Counter-Terrorism Committee, the 1267 Committee and the 1540 Committee to bring practical effect to the United Nations counter-terrorism framework and the unanimously endorsed United Nations Global Counter-Terrorism Strategy (General Assembly resolution 60/288).

Australia encourages those Committees to further their efforts to improve cooperation with the General Assembly through close engagement with the Counter-Terrorism Implementation Task Force. This is essential for ensuring appropriate coordination in United Nations counter-terrorism efforts, avoiding duplication and encouraging the effective implementation by Member States of the Global Counter-Terrorism Strategy.

We welcome the appointment of Mr. Mike Smith as Executive Director of the Counter-Terrorism Executive Directorate (CTED). As Australia's counter-terrorism ambassador, Mr. Smith has gained a wealth of experience and knowledge in counter-terrorism strategies and policies through his extensive engagement with various Member States and regional bodies.

Australia strongly supports the work of the Counter-Terrorism Committee (CTC) and the CTED, which have a crucial role to play in advancing the implementation of resolutions 1373 (2001) and 1624 (2005) and the Global Counter-Terrorism Strategy. By extension, these bodies are central to the international community's response to the threat of international terrorism and are a key component of the United Nations architecture constructed to help Member States to deal with that challenge.

Constructive relations with Member States, particularly donor and recipient countries, are critical to the success of the CTC's work. Australia encourages the Committee in its efforts to improve needs assessments for Member States requiring technical assistance and coordination mechanisms with donor countries. We note that the focus of much of this assistance is moving from ratification support to legislative implementation and support for national counter-terrorism capacity-building for criminal justice systems. That demonstrates the advances we have made in our counter-terrorism work.

We welcome the CTED's outreach in the Pacific region to increase understanding of the United Nations counter-terrorism architecture and to make assistance available to countries through various United Nations bodies. We encourage a deepening of that dialogue so that the specific needs of countries in that region are better understood and so that assistance is coordinated and tailored to meet them.

Australia remains ready to work with the CTC and its Executive Directorate to further its objectives and improve its engagement with the United Nations membership.

Australia recognizes the vital work of the 1267 Committee in United Nations counter-terrorism efforts and is committed to ensuring full compliance with resolutions 1267 (1999) and 1390 (2002) and successor resolutions. We welcome the Committee's efforts to engage more closely with Member States and regional bodies. We also encourage Member States to designate terrorists domestically, including by implementing obligations under resolution 1373 (2001) to freeze the assets of individuals and entities that commit and support terrorist acts, in order to supplement the important work of the 1267 Committee.

The effectiveness of the 1267 Committee is directly related to the relevance and currency of the consolidated list, and we encourage further efforts by the Committee in its outreach to and dialogue with Member States to this end.

Australia welcomes the 1540 Committee's efforts in pursuing the universal and effective implementation of the goals of resolution 1540 (2004). It is commendable that the Committee has sought to promote and develop greater regional coordination and cooperation on the implementation of that resolution, including on assistance. We encourage the Committee's continued engagement with regional bodies, such as the Regional Forum of the Association of Southeast Asian Nations (ASEAN), ASEAN and the Pacific Islands Forum. The Committee might also like to consider expanding its dialogue and cooperation with other relevant bodies, such as the export control regimes, on furthering non-proliferation.

Australia has been directing particular efforts to the improvement of regional capacity and expertise in terms of the implementation and enforcement of resolution 1540 (2004). In our bilateral and multilateral engagement with other countries, we have taken every appropriate opportunity to inform countries of the goals and obligations of resolution 1540 (2004) and have made offers to further assist where we can.

The Chair and the Committee, through their own outreach efforts, their establishment of databases and their analysis of national reports, have completed an impressive amount of work in a short time. Of particular note are their endeavours aimed at matching

offers of assistance with requests, including through the development of a 1540 assistance request template. The Committee's matrix format of measures that countries have taken to implement their requirements under resolution 1540 (2004) is also most welcome. Australia would support making those country matrices publicly available through the Committee's website.

The more countries that publicize their compliance with resolution 1540 (2004), the stronger the signal to terrorists and their supporters that there are fewer places available to them to use in obtaining or transferring the materials and technology necessary for weapons of mass destruction. Such a signal would contribute significantly to realizing the goals of resolution 1540 (2004).

In closing, Australia would like to reaffirm its active and ongoing support for the Council's counter-terrorism bodies and its commitment to assisting, as appropriate, all efforts to advance their work.

The President: I now call on the representative of Canada.

Mr. Normandin (Canada): Canada would first like to thank the Chairs of the Counter-Terrorism Committee (CTC), the 1267 Committee and the 1540 Committee for their continued leadership. We would also like to thank you, Mr. President, for the opportunity to address the Council today, and to congratulate Mr. Mike Smith on his appointment as Executive Director of the Counter-Terrorism Committee Executive Directorate (CTED).

Canada strongly supports the work of the Counter-Terrorism Committee and its Executive Directorate in ensuring the implementation of resolution 1373 (2001) and in coordinating technical assistance through outreach to both donors and recipients. We also welcome the adoption of the General Assembly's Global Counter-Terrorism Strategy, which encourages the CTC and CTED to continue to improve the coherence and efficiency of technical assistance delivery in the field of counter-terrorism.

In a context in which the Security Council will soon discuss the renewal of CTED's mandate, we would encourage Council members and CTED's leadership to ensure that efforts are made to enhance CTED's relationship with non-Council members. As the Council is aware, most of the recipients of technical assistance are not members of the Council, and neither are a number of important donors, such as Canada. In our view, every effort should be made to ensure that the key tools developed by CTED, such as its technical assistance plan, its database of technical assistance and its assessments of the implementation of relevant resolutions, are made available to donors to ensure that they allocate their capacity-building resources as usefully as possible. CTED already reaches out to non-members of the Council on an ad hoc basis, but we feel that those efforts need to be better structured and further enhanced.

In reviewing CTED's mandate, a useful reference is the various recommendations contained in a recent report on the Security Council's counter-terrorism programme prepared by the International Peace Academy and the Centre on Global Counter-Terrorism Cooperation. In particular, the report proposes that CTED and the CTC be much more flexible in engaging with non-Council members in the context of field visits made by the CTC. There are also useful suggestions in the report on convening regional meetings at which both donors and recipients could better coordinate their capacity-building efforts. We note with appreciation the fact that CTED already moved in that direction this summer, by convening a meeting on West Africa. We hope that there will be more such meetings, and we would be ready to work with CTED and others to ensure that future meetings are results-oriented.

Canada is committed to ensuring full compliance with resolution 1267 (1999) and successor resolutions by implementing without delay restrictions against entities listed by the 1267 Committee. In order for that instrument to be effective, the Committee needs to ensure, where possible, the accuracy of the 1267 list and its congruence with the reality on the ground. As the Secretary-General noted in his September 2007 report on the situation in Afghanistan (S/2007/555), national reconciliation will require the inclusion of new terrorist leaders on the 1267 consolidated list or the removal of such individuals from the list after reconciliation, as appropriate.

We are also interested in ensuring the continued accuracy and quality of the information shared by the 1267 Committee secretariat with Member States. It is in our common interest that the Committee have the necessary resources, financial and human, to fulfil its mandate adequately.

Canada supports efforts to enhance clarity with regard to the process of listing and de-listing. In that context, we welcome the recent establishment of a focal point to receive de-listing requests. We have to remember that sanctions were designed to be preventive, rather than punitive. Therefore, increasing clarity in the procedures will enhance the credibility of the system in the fight against terrorism.

We note with appreciation the Committee's efforts to increase understanding of its activities, in particular by enhancing its website and by organizing open briefings for the entire United Nations membership. The disclosure of as much information as possible and timely decision-making by the Committee will facilitate Member States' continued implementation of the resolution.

(*spoke in French*)

Canada supports the efforts of the 1540 Committee to ensure full compliance with the provisions of resolution 1540 (2004). Indeed, together with the United Nations Office for Disarmament Affairs, the Committee has helped very much to raise awareness about those provisions through sustained regional activities to promote them. Canada is also pleased to note that those activities are moving away from simple information and now include more concrete measures to facilitate compliance with the provisions at both the regional and national levels.

The Committee has a particularly important role to play in facilitating the assistance provided by donors. In that regard, we emphasize the Committee's efforts related to the establishment of a template for assistance requests under resolution 1540 (2004). We look forward to working with the Committee to refine the template and to ensure that donors receive clear requests that can be followed up on. Canada also notes that it is important that donors provide the Committee with accurate information about their assistance programmes relevant to the implementation of resolution 1540 (2004). Next month, we will be pleased to provide the Committee with up-to-date information on Canadian assistance programmes in this area when we submit our report on measures that Canada has taken, or plans to take, to facilitate the implementation of the resolution.

Finally, Canada is very pleased to participate in this important meeting today. We have listened attentively to the statements made by the representatives of other States. Canada intends to work constructively with the Committees and all partners in this area.

The President: I now give the floor to the representative of Portugal.

Mr. Salgueiro (Portugal): I have the honour to speak on behalf of the European Union, the candidate countries of Turkey, Croatia and the former Yugoslav Republic of Macedonia, the countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro and Serbia, as well as Moldova, Armenia and Georgia, align themselves with this statement. In the interest of efficiency and to save time, I shall shorten my oral statement today. The full text of my statement is now being distributed in the Chamber.

The European Union (EU) is pleased to participate in today's debate. We welcome the briefings from the Chairmen of the Al-Qaida and Taliban sanctions Committee, the Counter-Terrorism Committee (CTC) established pursuant to resolution 1373 (2001) and the Committee established pursuant to resolution 1540 (2004) to monitor access to weapons of mass destruction by non-State actors. The three Committees play an important role in the work of the United Nations to counter the terrorist threat. We appreciate the opportunity to hear more about their work as part of an open and transparent debate.

Terrorism constitutes one of the most serious threats to international peace and security in the world today. The European Union reiterates its condemnation of terrorism in all its forms and manifestations. We would like to commend the United Nations for significant progress in leading global efforts to combat international terrorism in a sustainable way.

Countering terrorism and addressing the conditions conducive to its spread are international issues that require a global response. The EU is committed to implementing the United Nations Global Counter-Terrorism Strategy in cooperation with all Member States of the Organization. It also supports the Counter-Terrorism Implementation Task Force, which aims to ensure coordinated and coherent efforts across the United Nations system to counter terrorism. As members of the Task Force, the three Committees and their expert bodies also play an important role in the implementation of the Strategy.

The European Union continues to be committed to reaching an agreement on the comprehensive convention on international terrorism as soon as possible.

The 16 United Nations counter-terrorism conventions and protocols constitute the legal core of anti-terrorist measures. Universal adherence to those instruments is essential for the consistency of measures taken by Member States and for the facilitation of international cooperation. The EU attaches great importance to the full implementation of all United Nations conventions and protocols related to acts of terrorism. In that context, the EU commends the United Nations Office on Drugs and Crime and its Terrorism Prevention Branch for their important work in delivering technical assistance to enable States to adhere to and implement those instruments.

The European Union would like to reiterate that effective counter-terrorism measures and the protection of human rights are not conflicting goals, but rather complementary and mutually reinforcing ones. Our action must be firmly based on due process and the rule of law.

We commend the 1267 Committee for the considerable progress made with regard to improving the effectiveness of the Al-Qaida and Taliban sanctions regime over the past few months. In doing so, the Committee was effectively supported by the Monitoring Team. We look forward to the issuance of the seventh report of the Monitoring Team as an official document of the United Nations, in order to benefit from the analysis and recommendations made by the Monitoring Team.

We take note of the first edition this year of the review pursuant to paragraph 6 (i) of the Committee's guidelines. We encourage the members of the Committee to take full advantage of that new tool to further improve the quality of listings. With regard to the updating of lists, we welcome the work of the Committee in updating the Taliban section of the consolidated list and encourage the Committee to continue its efforts in that regard.

We commend the Committee's efforts to enhance transparency by updating and improving its website and making available useful information regarding its work and its procedures. In that context, we would like to refer to the document prepared by the Monitoring Team compiling experiences of Member States, which is a useful tool in assisting us in implementing sanctions.

The European Union has always emphasized the need to strengthen fair and clear procedures with regard to targeted sanctions, in order to enhance their effectiveness. Several EU member States have contributed to that process. We note that tangible progress has been achieved over the past year, in particular in the 1267 Committee. In that regard we welcome the establishment of the focal point, which has improved access to the Security Council by individuals requesting de-listing from sanctions lists. The EU will observe the implementation of the new guidelines and procedures. In the light of that experience, other challenges may be identified.

With regard to the work of the Counter-Terrorism Committee, the European Union welcomes the work done by the Committee in approving the preliminary implementation assessments in the framework of resolution 1373 (2001). EU member States look forward to receiving those assessments and stand ready to engage in an active dialogue with the Committee in that regard.

The European Union stresses the importance of strengthening cooperation with international and regional organizations in the fight against terrorism. In that regard, we note with appreciation the organization by the Committee of the fifth special meeting with international, regional and subregional organizations, which was held in Nairobi fro 29 to 31 October 2007.

I would like to take this opportunity to welcome the recent appointment of Mr. Mike Smith as the new Executive Director of the Counter-Terrorism Committee Executive Directorate (CTED). The EU looks forward to close and active cooperation with CTED under his leadership, as well as with the CTC. The EU strongly supports the work of both the CTC and CTED in promoting and monitoring the implementation of resolutions 1373 (2001) and 1624 (2005). Those resolutions have set ambitious standards with regard to international cooperation and on the issue of incitement to terrorism. However, implementing those resolutions is, and will remain, first and foremost an obligation of Member States.

The European Union notes that CTED's mandate will expire at the end of 2007. It also notes the ongoing informal discussions on ways and means to enhance its outreach and efficiency.

The proliferation of weapons of mass destruction and their means of delivery is a growing threat to international peace and security. In that context, the EU fully acknowledges the relevance of resolution 1540 (2004) as an important international instrument to deal with that threat in an integrated and comprehensive manner.

At this point, let me mention the European Union's own strategy against the proliferation of weapons of mass destruction, which is one of the pillars of the EU's non-proliferation policy and contributes to the implementation of resolution 1540 (2004). It includes providing assistance to States in preparing and submitting national reports.

We understand that a new stage in the activities of the Committee is now planned, and that that envisages a shift from awareness and non-reporting States to capacity building and States that have demonstrated willingness to implement the resolution but still lack appropriate expertise in that field. The EU stands ready to support the Committee in that new stage of its activities, in particular in building legal and administrative infrastructure, sharing our own experience of implementation and training relevant authorities. We will do so in close coordination and cooperation with local authorities, the Committee and the United Nations Office for Disarmament Affairs. In this respect, we wish to thank Ambassador Peter Burian for his acceptance two weeks ago of an invitation to meet with the group of European Union experts on nuclear non-proliferation in Brussels.

Today's debate is an opportunity to look ahead and beyond the second implementation phase of resolution 1540 (2004) ending in April 2008. It is important that the mandate of the 1540 Committee be further extended because it plays a crucial role in preventing weapons of mass destruction and their means of delivery and production from falling into the hands of non-State actors worldwide. We would welcome timely preparations in this respect. Meanwhile, we believe that the Committee should not lessen its efforts to promote full implementation of resolution 1540 (2004).

Finally, I would like to thank the Chairmen of the three committees once again for their work. The European Union will continue to promote universal adherence to the conventions and protocols that form the legal basis for the work of the United Nations in countering the terrorist threat and to support their global implementation. We commend the work of the Security Council as a vital component in the United Nations efforts to combat the terrorist scourge, which is a threat to all States and to all peoples.

The President: The representative of the United States of America has asked for the floor to m ke a further statement.

Ms. Wolcott (United States of America): It has been a long and productive session today. I just wanted to add briefly that, contrary to statements we have heard, the United States has taken a number of actions with respect to Luis Posada Carriles consistent with international law, as well as our domestic legal framework, that provide for due process and various constitutional safeguards. We have recounted these aspects on numerous occasions, in fact, I have done so myself, including in this chamber. I will not repeat this entire history today. But I will just state the following recent updates.

The United States sought and obtained a criminal indictment charging Posada with violations of our immigration laws. The Federal District Court, a part of the United States independent judiciary handling that case, recently dismissed the indictment. The United States filed a notice appealing the Court's decision on 5 June 2007. Posada remains under investigation for past activities.

In the meantime, Posada remains subject to the Order of Removal issued by the Immigration Judge and is without legal status in the United States. He is also subject to an Order of Supervision from the Department of Homeland Security, Immigration and Customs Enforcement, which imposes certain restrictions on Posada, including reporting and monitoring requirements.

In sum, the United States continues to be engaged in an ongoing series of actions consistent with our legal requirements and due process with respect to Posada.

The President: The representative of Cuba has asked for the floor to make a further statement.

Mr. Benítez Versón (Cuba) was invited to take a seat at the Council table.

Mr. Benítez Versón (Cuba) (*spoke in Spanish*): The Cuban delegation has been compelled to take the

floor once again in order to answer the comments made by the delegation of the United States. We would like to apologize for the late hour, but Cuba will not allow that manipulation and deception to prevail. The truth has to be told.

As happened in May of this year, the United States delegation repeated on that occasion that, with respect to the case of Posada Carriles, its authorities acted in a manner consistent with international law. That is completely false. If the Government of the United States had acted consistently with international law and the relevant resolutions adopted by the Security Council, including resolution 1373 (2001), instead of continuing to protect Luis Posada Carriles, they would have prosecuted him and tried him for his many acts of terrorism, or they would have extradited to the Bolivarian Republic of Venezuela.

We draw attention to the fact that, in her comments, the representative of the United States did not deny any of the statements made by Cuba. However, she omitted many details that are extremely relevant. I would like to remind participants of a few of these details.

Certainly, as the representative of the United States said, Posada Carriles was detained by the authorities of that country on 17 May 2005. What the representative of the United States did not say is that the terrorist was caught after months had gone by during which the United States authorities denied the presence of Posada Carriles on United States territory, despite the many public denunciations by President Fidel Castro of the entry of that terrorist into this country. It was only when the press published interviews with him, including coloured photos on the front page while he was taking advantage of the Miami sun, they had no other alternative but to arrest him.

It is also true, as the representative of the United States said, that Posada Carriles has been subject in the United States to criminal proceedings. But what she did not say is that her authorities have never tried him for his terrorist activities, despite the fact that they had all of the information and evidence for doing so. Instead, they dealt with the case as a simple immigration violation, and they thereby guaranteed the protection of the terrorist and his release, which took place on 8 May.

There are many questions on the table. Why did the United States Government allow Posada Carriles to enter its territory with impunity, despite the many warning calls that were made by President Fidel Castro? Why did the United States Government protect for months those terrorists who were on its territory illegally? Why, having all the evidence needed to charge him criminally, did they simply charge him on 11 January with minor immigration offences? Why in its appeal to the Federal Appeals Court, presented at the last minute on 6 November, did the United States authorities continue without mentioning one word about the terrorist activities of Posada Carriles and insist on dealing with it as a simple immigration case? Why do the immigration and customs authorities within the Department of Homeland Security of the United States not use the tools at their disposal to keep the terrorist in prison? Why did the United States Government overlook the extradition request presented with all the requirements duly satisfied by the Bolivarian Republic of Venezuela?

We know very well that the United States representative is not going to answer all of these questions, but that does not matter. The truth could not be clearer. The plan has always been that Posada Carriles would not speak in public about the terrorist acts he committed against Cuba, Venezuela and many other countries, when he acted under the orders of the Central Intelligence Agency of the United States for 25 years.

Allow me to conclude by stressing the fact that in order to seriously fight terrorism, political will is required. It is impossible to eliminate terrorism, while we condemn a few terrorist acts and we tolerate or justify others or pass over them in silence. Once again, Cuba has launched an urgent appeal to the Security Council to consider the claims made by our country and to act accordingly. The shameful conduct of a number of Council members, as powerful as the Council may be, must not continue to so seriously affect the credibility of this body, which, under the Charter, must act on behalf of all of Member States.

The President: The representative of Venezuela has asked to make a further statement. I invite her to take a seat at the Council table.

Ms. Rodríguez de Ortiz (Bolivarian Republic of Venezuela) (*spoke in Spanish*): I would like to apologize for having to take the floor once again. What Venezuela cannot understand in all of this is that the United States cannot comply with an extradition treaty

that was signed between both of our countries. Venezuela has presented a legitimate and legal request, complying with all of the necessary requirements, in order to have the terrorist Luis Posada Carriles, a refugee from Venezuelan justice, arrested and extradited to our country and tried for his terrorist acts. The Government of the United States has all of the documentation that shows the terrorist nature of his actions. Despite this, instead of complying with international commitments adopted, they have chosen to protect him and they have simply charged him with minor immigration violations.

This is a case of protecting a terrorist. The attitude of the United States Government in this case is one of snubbing justice and snubbing the memory of victims of terrorist acts, as well as the grief of the family members of those victims.

The Security Council must act and the Counter-Terrorism Committee has to review and evaluate this case and compel the United States Government to comply with its commitment to fight terrorism: its obligations under the International Convention for the Suppression of Terrorist Bombings, the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation and Security Council resolution 1373 (2001).

The President: There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 1.30 p.m.

United Nations S/PV.5780

Security Council

Distr.: General
15 November 2007

Original: English

Official communiqué of the 5780th (closed) meeting of the Security Council

Held in private at Headquarters, New York, on Thursday, 15 November 2007, at 11.05 a.m.

In accordance with rule 55 of the provisional rules of procedure of the Security Council, the following communiqué was issued through the Secretary-General in place of a verbatim record:

"At its 5780th meeting, held in private on 15 November 2007, the Security Council considered the item entitled 'The situation in Bosnia and Herzegovina'.

"The President, with the consent of the Council, invited the Acting Chairman of the Council of Ministers of Bosnia and Herzegovina and the representatives of Portugal and Serbia to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

"In accordance with the understanding reached in the Council's prior consultations, the President extended an invitation under rule 39 of the Council's provisional rules of procedure to His Excellency Mr. Miroslav Lajcák, High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina.

"The members of the Council heard a briefing by His Excellency Mr. Miroslav Lajcák.

"The members of the Council heard a statement by His Excellency Mr. Nikola Špirić, Acting Chairman of the Council of Ministers of Bosnia and Herzegovina.

"Members of the Council, His Excellency Mr. Miroslav Lajcák, His Excellency Mr. Nikola Špirić, Acting Chairman of the Council of Ministers of Bosnia and Herzegovina, and the representatives of Portugal and Serbia had an exchange of views."

07-60060 (E) 151107